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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

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# House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

## PRAYER

Rabbi Shlomo Segal, Kehilat Moshe, Brooklyn, New York, offered the following prayer:

Master of the universe, we humbly ask You to bless the endeavors of this noble and dedicated body, the United States House of Representatives. Guide the Members of this House with Your wisdom so that they may approach the complex challenges of our day with forthrightness, integrity, and, above all, compassion.

Endow us with Your goodwill, O Lord, so that we may build bridges of hope which make us strong and tear down barriers of division which make us weak. Grant us a listening and full heart so that we may each understand one another and recognize the divine image inherent in every human being. We pray for this vision now.

In the words of the psalmist, ''May the Lord give you grace and glory.'' In that spirit, may we each find the strength and courage to bring God's honor and glory to this great Nation.

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 Louisiana (Mr. ABRAHAM) come forward and lead the House in the Pledge of Allegiance.

Mr. ABRAHAM led the Pledge of Allegiance as follows:

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

## WELCOMING RABBI SHLOMO SEGAL

The SPEAKER. Without objection, the gentleman from New York (Mr. JEFFRIES) is recognized for 1 minute.

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is my honor to welcome our guest chaplain, Rabbi Shlomo Segal of Kehilat Moshe synagogue from Sheepshead Bay, Brooklyn. Rabbi Segal and his wife, Adina, founded the synagogue 5 years ago, and they have since created a vibrant community not only for the diverse group of Jews who attend their services, but for people of all faiths throughout Brooklyn.

Rabbi Segal is a leader in our community who works hard to build bridges of understanding and tolerance. He serves on the board of governors of the New York Board of Rabbis and is a rabbinical consultant to the Kings Bay Y, a Jewish community center in the Eighth Congressional District that I proudly represent.

Through his work, he celebrates the diversity of Brooklyn, bringing together different religious and ethnic groups to emphasize what we all have in common—as New Yorkers and as Americans and, most importantly, as human beings.

Rabbi Segal has brought together Jews, Christians, and Muslims to break fast for Ramadan and worked hard to bring together and strengthen ties between the Black and Jewish communities of central Brooklyn. Rabbi Segal's efforts are geared toward making religion the greatest possible force that it can be in our community and in our Nation.

He is here today with his wonderful wife, Adina, and two tremendous children, Shira and Rayna. It is my honor to welcome them to the people's House and to our Nation's Capital.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ABRAHAM). After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by His Excellency Emmanuel Macron, President of the French Republic, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

## RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, April 17, 2018, the House stands in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 7 minutes a.m.), the House stood in recess.

□ 1037

## JOINT MEETING TO HEAR AN ADDRESS BY HIS EXCELLENCY EMMANUEL MACRON, PRESIDENT OF THE FRENCH REPUBLIC

During the recess, the House was called to order by the Speaker at 10 o'clock and 37 minutes a.m.

The Assistant to the Sergeant at Arms, Ms. Kathleen Joyce, announced



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the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint meeting will come to order.

The Chair appoints as members of the committee on the part of the House to escort His Excellency Emmanuel Macron into the Chamber:

The gentleman from California (Mr. MCCARTHY);

The gentleman from Louisiana (Mr. SCALISE);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Ohio (Mr. STIVERS);

The gentleman from Georgia (Mr. COLLINS);

The gentleman from Missouri (Mr. SMITH);

The gentleman from North Carolina (Mr. MCHENRY);

The gentleman from California (Mr. ROYCE);

The gentleman from South Carolina (Mr. WILSON);

The gentleman from Ohio (Mr. LATTA);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from New York (Mr. CROWLEY);

The gentlewoman from California (Ms. SÁNCHEZ);

The gentleman from Georgia (Mr. LEWIS);

The gentleman from California (Mr. SCHIFF);

The gentleman from Massachusetts (Mr. KEATING);

The gentleman from New York (Mr. MEEKS);

The gentlewoman from Florida (Mrs. MURPHY); and

The gentlewoman from Connecticut (Ms. ESTY).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Emmanuel Macron into the House Chamber:

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from Missouri (Mr. BLUNT);

The Senator from Colorado (Mr. GARDNER);

The Senator from Tennessee (Mr. CORKER);

The Senator from Arkansas (Mr. BOOZMAN);

The Senator from Arkansas (Mr. COTTON);

The Senator from Illinois (Mr. DURBIN);

The Senator from Washington (Mrs. MURRAY);

The Senator from Vermont (Mr. LEAHY);

The Senator from Minnesota (Ms. KLOBUCHAR);

The Senator from Wisconsin (Ms. BALDWIN);

The Senator from New Jersey (Mr. MENENDEZ); and

The Senator from Delaware (Mr. COONS).

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency Serge Mombouli, Ambassador of the Republic of the Congo.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 10 o'clock and 47 minutes a.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced His Excellency Emmanuel Macron, President of the French Republic.

The President of the French Republic, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you His Excellency Emmanuel Macron, President of the French Republic.

(Applause, the Members rising.)

President MACRON. Mr. Speaker, Mr. Vice President, honorable Members of the United States Congress, ladies and gentlemen, it is an honor for France, for the French people, and for me to be received in this sanctuary of democracy, where so much of the history of the United States has been written. We are surrounded today with images, portraits, and symbols, which reminds us that France has participated with heart in hand in the story of this great Nation from the very beginning.

We have fought shoulder to shoulder in many battles, starting with those that gave birth to the United States of America. Since then, we have shared a common vision for humanity.

Our two nations are rooted in the same soil, grounded in the same ideals of the American and French revolutions. We have worked together for the universal ideals of liberty, tolerance, and equal rights; and yet this is also about our human, gutsy, personal bonds throughout history.

In 1778, the French philosopher Voltaire and Benjamin Franklin met in Paris. John Adams tells the story that, after they had shaken hands, they embraced each other by hugging one another in their arms and kissing each other's cheeks. It can remind you of something.

And this morning, I stand under the protective gaze of Lafayette right behind me. As a brave young man, he fought alongside George Washington and forged a tight relationship, fueled by respect and affection.

Lafayette used to call himself ''a son of the United States,'' and in 1792, George Washington became a son of America and France when our first Republic awarded citizenship to him.

Here we stand in your beautiful capital city, whose plans were conceived by a French architect, Charles L'Enfant.

The miracle of the relationship between the United States and France is that we have never lost this special bond deeply rooted not only in our history, but also in our flesh. This is why I invited President Donald Trump for the first Bastille Day parade of my Presidency on the 14th of July last year. Today, President Trump's decision to offer France his first state visit to Washington has a particular resonance because it represents the continuity of our shared history in a troubled world.

And let me thank your President and the First Lady for this wonderful invitation to my wife and me. I am so very grateful. And I would like, also, to thank you, ladies and gentlemen, for welcoming me on this occasion. And I would like to especially thank you, Mr. Speaker, for your invitation. I want you to know how much I appreciate this unique gesture. Thank you, sir.

The strength of our bonds is the source of our shared ideals. This is what united us in the struggle against imperialism during the First World War, then in the fight against Nazism during the Second World War. This is what united us again during the era of the Stalinist threats, and now we lean on that strength to fight against terrorist groups.

Let us, for a moment, transport ourselves to the past. Imagine this is July 4, 1916. Back then, the United States had not entered World War I; and yet a young American poet enlisted in the ranks of our Foreign Legion because he loved France and he loved the cause of freedom.

This young American would fight and die on Independence Day at Belloy-en-Santerre, not far from Amiens, my hometown, after having written these words: ''I have a rendezvous with death.'' The name of this young American was Alan Seeger. A statue stands in his honor in Paris.

Since 1776, we, the American and French people, have had a rendezvous with freedom, and with it comes sacrifices. That is why we are very honored by the presence today of Robert Jackson Ewald, a World War II veteran. Robert Jackson Ewald took part in the D-day landing. He fought for our freedom 74 years ago.

Sir, on behalf of France, thank you. I bow to your courage and your devotion.

In recent years, our nations have suffered wrenching losses simply because

of our values and our taste for freedom, because these values are the very ones those terrorists precisely hate.

Tragically, on September 11, 2001, many Americans had an unexpected rendezvous with death.

Over the last 5 years, my country and Europe also experienced terrible terrorist attacks, and we shall never forget the innocent victims nor the incredible resilience of our people in the aftermath. It is a horrific price to pay for freedom, for democracy.

That is why we stand together in Syria and in Sahel today, to fight together against these terrorist groups who seek to destroy everything for which we stand. We have encountered countless rendezvous with death because we have this constant attachment to freedom and democracy.

As emblazoned on the flags of the French Revolutionaries, ''live free or die,'' ''vivre libre ou mourir.''

Thankfully, freedom is also the source of all that is worth living for. Freedom is a call to think and to love. It is a call to our will. That is why in times of peace, France and the United States were able to forge unbreakable bonds from the grist of painful memories.

The most indestructible, the most powerful, the most definitive knot between us is the one that ties the true purpose of our peoples to advance, as Abraham Lincoln said, the ''unfinished business'' of democracy.

Indeed, our two societies have stood up to advance human rights for all. They have engaged in a continual dialogue to unpack this ''unfinished business.''

In this Capitol rotunda, the bust of Martin Luther King, assassinated 50 years ago, reminds us of the inspiration of African-American leaders, artists, writers, who have become part of our common heritage. We celebrate, among them, James Baldwin and Richard Wright whom France hosted on our soil.

We have shared the history of civil rights. France's Simone de Beauvoir became a respected figure in the movement for gender equality in America in the 1970s. Women's rights have long been a fundamental driver for our societies on both sides of the Atlantic. This explains why the Me Too movement has recently had such a deep resonance in France.

Democracy is made of day-to-day conversation and mutual understanding between citizens. It is easier and deeper when we have the ability to speak each other's language. The heart of Francophonie also beats here in the United States, from New Orleans to Seattle. I want this heart to beat even harder in American schools all across the country.

Democracy relies also on the faculty of freely describing the present and the capacity to invent the future. This is what culture brings.

Thousands of examples come to mind when we think of the exchanges between our cultures across the centuries: from Thomas Jefferson, who was Ambassador to France and built his house in Monticello based on the building he loved in Paris; to Hemingway's novel, ''Movable Feast,'' celebrating the capital city of France; from our great 19th century French writer Chateaubriand bringing to the French people the dream of America's open spaces, forests, and mountains; to Faulkner's novels, crafted in the Deep South, but first read in France, where they quickly gained literary praise; from jazz coming from Louisiana and the blues from Mississippi, finding in France an enthusiastic public; to the American fascination for impressionists and the French modern and contemporary art.

These exchanges are vibrant, in so many fields, from cinema to fashion, from design to high cuisine, from sports to visual arts.

Medicine and scientific research as well as business and innovation are also a significant part of our shared journey. The United States is France's first scientific partner. Our economic ties create hundreds of thousands of jobs on both sides of the Atlantic.

The story of France and the United States is a story of an endless dialogue made of common dreams, of a common struggle for dignity and progress. It is the best achievement of our democratic principles and values. This very special relationship, this is us.

But we must remember the warning of President Theodore Roosevelt: ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, handed on for them to do the same.''

This is an urgent reminder indeed, because now, going beyond our bilateral ties, beyond our very special relationship, Europe and the United States must face together the global challenges of this century.

We cannot take for granted our transatlantic history and bonds. At the core, our Western values themselves are at risk.

We have to succeed facing these challenges, and we cannot succeed in forgetting our principles and our history.

In fact, the 21st century has brought a series of new threats and new challenges that our ancestors might not ever have imagined. Our strongest beliefs are challenged by the rise of a yet unknown new world order. Our societies are concerned about the future of their children.

All of us gathered here in this noble Chamber, we elected officials, all share the responsibility to demonstrate that democracy remains the best answer to the questions and doubts that arise today.

Even if the foundations of our progress are disrupted, we must stand firmly and fight to make our principles prevail, but we bear another responsibility inherited from our collective history.

Today, the international community needs to step up our game and build the 21st century world order based on the perennial principles we established together after World War II. The rule of law, the fundamental values on which we secured peace for 70 years, are now questioned by urgent issues that require our joint action.

Together with our international allies and partners we are facing inequalities created by globalization, threats to the planet, our common good, attacks on democracy through the rise of illiberalism, and the destabilization of our international communities by new powers and criminal states. All these risks aggrieve our citizens.

Both in the United States and in Europe, we are living in a time of anger and fear because of these current global threats, but these feelings do not build anything. You can play with fears and anger for a time, but they do not construct anything. Anger only freezes and weakens us. And as Franklin Delano Roosevelt said during his first inaugural speech: ''The only thing we have to fear is fear itself.''

Therefore, let me say we have two possible ways ahead. We can choose isolationism, withdrawal, and nationalism; this is an option. It can be tempting to us as a temporary remedy to our fears. But closing the door to the world will not stop the evolution of the world. It will not douse but inflame the fears of our citizens.

We have to keep our eyes wide open to the new risks right in front of us. I am convinced that, if we decide to open our eyes wider, we will be stronger. We will overcome the dangers. We will not let the rampaging work of extreme nationalism shake a world full of hopes for greater prosperity.

It is a critical moment. If we do not act with urgency as a global community, I am convinced that the international institutions, including the United Nations and NATO, will no longer be able to exercise a mandate and stabilizing influence. We would then inevitably and severely undermine the liberal order we built after World War II.

Other powers, with a stronger strategy and ambition, will then fill the void we would leave empty. Other powers will not hesitate one second to advocate their own model to shape the 21st century world order.

Personally, if you ask me, I do not share the fascination for new, strong powers, the abandonment of freedom, and the illusion of nationalism.

Therefore, distinguished Members of the Congress, let us push them aside, write our own history, and birth the future we want. We have to shape our common answers to the global threats that we are facing.

The only option then is to strengthen our cooperation. We can build the 21st century world order based on a new breed of multilateralism, based on a more effective, accountable, and results-oriented multilateralism, a

strong multilateralism. This requires, more than ever, the United States' involvement, as your role was decisive for creating and safeguarding today's free world.

The United States is the one who invented this multilateralism. You are the one now who has to help preserve and reinvent it. This strong multilateralism will not outshine our national cultures and national identities. It is exactly the other way around. A strong multilateralism will allow our cultures and identities to be respected, to be protected, and to flourish freely together. Why? Because precisely our own culture is based, on both sides of the Atlantic, on this unique taste for freedom, on this unique attachment for liberty and peace. This strong multilateralism is a unique option compatible with our nations, our cultures, our identities.

With the U.S. President, with the support of every 535 Member of this Joint Session, representing the whole American Nation, we can actively contribute together to building the 21st century world order for our people.

The United States and Europe have a historical role in this respect because it is the only way to defend what we believe in; to promote our universal values; to express strongly that human rights, the rights of minorities, and shared liberty are the true answer to the disorders of the world.

I believe in these rights and values. I believe that, against ignorance, we have education. Against inequalities, development. Against cynicism, trust and good faith. Against fanaticism, culture. Against disease and epidemics, medicine. Against the threats on the planet, science.

I believe in concrete action. I believe the solutions are in our hands. I believe in the liberation of the individual and in the freedom and responsibility of everyone to build their own lives and pursue happiness. I believe in the power of intelligently regulated market economies.

We are experiencing the positive impact of our current economic globalization with innovation, with job creation. We see, however, the abuses of globalized capitalism and digital disruptions which jeopardize the stability of our economies and democracies. I believe facing these challenges requires the opposite of massive deregulation and extreme nationalism.

Commercial war is not the proper answer to this evolution. We need a free and fair trade for sure. A commercial war opposing allies is not consistent with our mission, with our history, with our current commitments for global security. At the end of the day, it will destroy jobs, increase prices, and the middle class will have to pay for it.

I believe we can build the right answers to legitimate concerns regarding trade imbalances, excesses, and overcapacities by negotiating through the World Trade Organization and building cooperative solutions.

We wrote these rules; we should follow them.

I believe we can address our citizens' concerns regarding privacy and personal data.

The recent Facebook hearings highlighted the necessity to preserve our citizens' digital rights all over the world and protect the confidence in today's digital tools of life.

The European Union passed a new regulation for data protection. I believe the United States and the European Union should cooperate to find the right balance between innovation and ethics and harness the best of today's revolutions in digital data and artificial intelligence.

I believe facing inequalities should push us to improve policy coordination within the G20 to reduce financial speculation and create mechanisms to protect the middle class' interest because our middle classes are the backbone of our democracies.

I believe in building a better future for our children, which requires offering them a planet that is still habitable in 25 years.

Some people think that securing current industries and their jobs is more urgent than transforming our economies to meet the global challenge of climate change. I hear these concerns, but we must find a smooth transition to a low-carbon economy.

Because what is the meaning of our life, really, if we work and live destroying the planet while sacrificing the future of our children?

What is the meaning of our life if our decision, our conscious decision, is to reduce the opportunities for our children and our grandchildren?

By polluting the oceans, not mitigating $CO_2$ emissions, and destroying our biodiversity, we are killing our planet.

Let us face it: There is no planet B.

On this issue, it may happen we have disagreements between the United States and France. It may happen, like in all families. But that is, for me, a short-term disagreement.

In the long run, we will have to face the same realities, and we are just citizens of the same planet. So we will have to face it.

So beyond some short-term disagreements, we have to work together with business leaders and local communities. Let us work together in order to make our planet great again and create new jobs and new opportunities while safeguarding our Earth.

And I am sure one day the United States will come back and join the Paris Agreement. And I am sure we can work together to fulfill with you the ambitions of the global compact on the environment.

Ladies and gentlemen, I believe in democracy. Many of our forebearers were slain for the cause of freedom and human rights. With the great inheritance they gave us comes the responsibility to continue their mission in this new century and to preserve the perennial values handed to us and assure that today's unprecedented innovations in science and technology remain in the service of liberty and in the preservation of our planet for the next generations.

To protect our democracies, we have to fight against the ever-growing virus of fake news, which exposes our people to irrational fear and imaginary risks.

And let me attribute the fair copyright for this expression ''fake news,'' especially here.

Without reason, without truth, there is no real democracy because democracy is about true choices and rational decisions.

The corruption of information is an attempt to corrode the very spirit of our democracies.

We also have to fight against the terrorist propaganda that spreads out its fanaticism on the internet.

It has a gripping influence on some of our citizens and children. I want this fight to be part of our bilateral commitment, and we discussed with your President the importance of such an agenda.

I want this fight to be part of the G7 agenda because, here again, it deeply harms our rights and shared values.

The terrorist threat is even more dangerous when it is combined with the nuclear proliferation threat. We must, therefore, be stricter than ever with countries seeking to acquire the nuclear bomb.

That is why France supports fully the United States in its efforts to bring P'yongyang through sanctions and negotiations towards denuclearization of the Korean Peninsula.

As for Iran, our objective is clear. Iran shall never possess any nuclear weapons. Not now, not in 5 years, not in 10 years. Never.

But this policy should never lead us to war in the Middle East. We must ensure stability and respect sovereignty of the nations, including that one of Iran, which represents a great civilization.

Let us not replicate past mistakes in the region. Let us not be naive on one side. Let us not create new walls ourselves on the other side.

There is an existing framework called the JCPOA to control the nuclear activity of Iran. We signed it at the initiative of the United States. We signed it, both the United States and France. That is why we cannot say we should get rid of it like that.

But it is true to say that this agreement may not address all concerns, and very important concerns. This is true. But we should not abandon it without having something substantial, and more substantial, instead. That is my position.

That is why France will not leave the JCPOA, because we signed it. Your President and your country will have to take, in the current days and weeks, its own responsibilities regarding this issue. That is what I want to do. And once we decide it together, with your

President, we can work on a more comprehensive deal addressing all of his concerns.

That is why we have to work on this more comprehensive deal based, as was discussed with President Trump yesterday, on four pillars: the substance of the existing agreement, especially if you decide to leave it; the post-2025 period, in order to be sure that we will never have any nuclear activity for Iran; the containment of the military influence of the Iranian regime in the region; and the monitoring of ballistic activity.

I think these four pillars, the ones I addressed in front of the General Assembly of the United Nations last September, are the ones which cover the legitimate fears of the United States and our allies in the region.

I think we have to start working now on these four pillars to build this new, comprehensive deal and to be sure that, whatever the decision of the United States will be, we will not leave the floor to the absence of rules. We will not leave the floor to these conflicts of power in the Middle East. We will not fuel ourselves in increasing tensions and potential war.

That is my position, and I think we can work together to build this comprehensive deal for the whole region for our people, because I think it fairly addresses our concerns. That is my position.

And this containment I mentioned in one of the pillars is necessary in Yemen, in Lebanon, in Iraq, and also in Syria. Building a sustainable peace in a united and inclusive Syria requires, indeed, that all powers in the region respect the sovereignty of its people and the diversity of its communities.

In Syria, we work very closely together. After prohibited weapons were used against the population by the regime of Bashar al-Assad 2 weeks ago, the United States and France, together with the United Kingdom, acted to destroy chemical facilities and to restore the credibility of the international community. This action was one of the best evidences of this strong multilateralism.

And I want to pay a special tribute to our soldiers, because they did a very great job in this region and on this occasion.

Beyond this action, we will, together, work for humanitarian solutions in the short-term on the ground, and contribute actively to a lasting political solution to put an end to this tragic conflict.

I think one of the very important decisions we took together with President Trump was precisely to include Syria in this large framework for the overall region and to decide to work together on a political deal for Syria and for the Syrian people, even after our war against ISIS.

In the Sahel, where terrorist networks span a footprint as large as Europe, French and American soldiers are confronting the same enemy and risking their lives together.

Here, I would like to pay special tribute to the American soldiers who fell this past fall in the region and to their French comrades who lost their lives earlier this year in Mali. Better than anyone, I think our troops know what the alliance and friendship between our countries mean.

I believe facing all these challenges, all these fears, all this anger, our duty, our destiny is to work together and to build this new strong multilateralism.

Distinguished Members of Congress, ladies and gentlemen, on April 25, 1960, General de Gaulle affirmed in this Chamber that nothing was as important to France as ''the reason, the resolution, the friendship of the great people of the United States.'' Fifty-eight years later, to this very day, I come here to convey the warmest feelings of the French nation and to tell you that our people cherish the friendship of the American people with as much intensity as ever.

The United States and the American people are an essential part of our confidence in the future, in democracy, in what women and men can accomplish in this world when we are driven by high ideals and an unbreakable trust in humanity and progress.

Today, the call we hear is the call of history. This is a time of determination and courage. What we cherish is at stake. What we love is in danger. We have no choice but to prevail; and together, we shall prevail.

''Long live the friendship between France and the United States of America,'' ''vive les Etats-Unis d'Amerique.''

''Long live the Republic,'' ''vive la République.'' ''Long live France,'' ''vive la France.'' ''Long live our friendship,'' ''vive notre amitié.''

''Thank you,'' ''merci.''

(Applause, the Members rising.)

At 11 o'clock and 52 minutes a.m., His Excellency Emmanuel Macron, President of the French Republic, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

## JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly (at 11 o'clock and 53 minutes a.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1230

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. VALADAO) at 12 o'clock and 30 minutes p.m.

## PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

## ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. WOODALL. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 844

*Resolved*, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON ARMED SERVICES: Mr. Mitchell.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF H.R. 4, FAA REAUTHORIZATION ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 3144, PROVIDING FOR THE OPERATIONS OF THE FEDERAL COLUMBIA RIVER POWER SYSTEM; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM APRIL 30, 2018, THROUGH MAY 4, 2018

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 839 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 839

*Resolved*, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4) to reauthorize programs of the Federal Aviation Administration, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as

read. All points of order against provisions in the bill are waived.

(b) No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (e).

(c) Each amendment printed in part A of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in part A of the report of the Committee on Rules or amendments en bloc described in subsection (e) are waived.

(e) It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(f) At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3144) to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in part B of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from April 30, 2018, through May 4, 2018 —

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Mrs. TORRES), the newest member of the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, today's rule provides for the consideration of two bills: H.R. 4, which is the FAA Reauthorization Act, and a closed rule for H.R. 3144, which would adjust operations at the Federal Columbia River Power System.

We are lucky today, Mr. Speaker, in that we will have Mr. NEWHOUSE, who is an expert from Washington State on H.R. 3144, come down to the floor and talk extensively about that measure and why it is important for Washington State. But before we talk about Washington State, I want to talk about the FAA reauthorization bill as well.

I would point out, Mr. Speaker, it is not every rule in every case we are able to make every Rules Committee member's amendment in order, but we are fortunate today that, during Mrs. TORRES' very first rule on the House floor, we are making her amendment in order, which, again, Mr. Speaker, is one of those prerogatives of Rules Committee members.

I know that in the first few moments of the FAA bill, Mr. Speaker, we are going to want to talk about the good work that went on in the Transportation and Infrastructure Committee. It has really been my pleasure as not just a Rules Committee member, but as a Transportation and Infrastructure Committee member to be able to work on this bill now in two committees.

You may recall, Mr. Speaker, that we went not only through our initial hearings in the Transportation and Infrastructure Committee; we went through a summer markup last year. We have gone through five short-term extensions on FAA, and we are now here prepared to consider a full 5-year reauthorization on the floor.

It has not been the easiest process. There have been a lot of folks who haven't gotten everything they have wanted in this process, but it has been a collaborative process, Mr. Speaker, and I am glad that we have it here today.

I would be remiss if I didn't thank our committee chairman on the authorizing committee, Mr. Speaker, Chairman SHUSTER, for all the work that he has done. As you know, he has been a long champion of reforming the FAA, believing that we could get even more value for the American taxpayer dollars out of the FAA. While he did not achieve everything that he wanted to achieve in this bill either, Mr. Speaker, we have a dramatic step forward in H.R. 4 today.

These things never happen by accident, Mr. Speaker, as you well know, and I want to thank all the folks who have been toiling behind the scenes in the Transportation and Infrastructure Committee day in and day out. I am thinking of folks, Mr. Speaker, like Chris Vieson. I am thinking about folks like Naveen Rao. I am thinking about Hunter Presti and Brittany Smith.

Mr. Speaker, even though he has left us to go, now, serve in the article II Federal Railroad Administration, I want to thank Matt Sturges, who was the former staff director there at the committee, for all he has done over 2 years to get us to this place.

Mr. Speaker, as you know, getting this work done requires a collaborative working relationship, Members and staff across the aisle, from committee office staff to personal office staff, and it has really been a rewarding process. I am very proud of the product that we have on the floor today, but it wouldn't have been possible without all of the staff working and the collaboration that went on. I am grateful to folks for that. That is the authorizing committee side, Mr. Speaker.

On the Rules Committee side, we had an equal amount of work going on. These past few days, moving this bill through the Rules Committee, the staff has had to work tirelessly, in large part, because of all the amendments that were offered to the bill. We now, in this rule, today, Mr. Speaker, made in order 116 different revisions to this bill.

Let me say that again. We went through a complete, full, and open markup in the Transportation and Infrastructure Committee, as you know, Mr. Speaker; but then, in the Rules Committee, we made in order an additional 116 amendments through this rule today: 56 of those are amendments sponsored by my Democratic colleagues; 36 of those are amendments sponsored by my Republican colleagues; and 24 of those are amendments that have bipartisan support here in this Chamber. That is just over 50 percent of all the ideas that were brought to the Rules Committee last night, Mr. Speaker.

I hope that my colleagues are as proud of that as I am. It reflects the commitment that Speaker RYAN made to having a more open and transparent process. Here, again: 56 Democratic amendments, 36 Republican amendments, and 24 bipartisan amendments.

Mr. Speaker, this FAA bill is a good step towards bringing more value to the American taxpayer from the FAA, and this rule is a good step to making

that possible. With the passage of this rule today, we will be able to move directly to that debate.

Mr. Speaker, don't believe the headlines that say Congress has packed up its bags and gone home. I hear that day in and day out that folks think this 2018 is not going to be a particularly productive legislative session. I reject that. I reject that with no reservations whatsoever.

I see the passion my friends on the Democratic side have for continuing to make improvements for the American people. I see that same passion on our side. Now, I am not saying we are not going to have some challenges keeping people focused on the process at hand, but this FAA bill is a good example of the fact that we are still hard at work, and there is still much work that we can do together.

This bill, Mr. Speaker, finally delivers on the regulatory reform to the FAA certification process.

Now, if you have any companies in your district that are involved in FAA regulations in any way, shape, or form, you know exactly what I am talking about. This certification process is going to allow companies all over the country, including many in my district, Mr. Speaker, like Meggitt in Suwanee, like Universal Avionics in Duluth, like Siemens in Cumming, Gulfstream in Savannah, and many others, to get safer, more innovative aviation products to market faster.

Let me say that again, Mr. Speaker: safer products, more innovative products, more value to the American taxpayer to market faster.

This bill also provides a pathway to regulatory certainty for unmanned aircraft systems. That allows companies like L3 Technologies and Colonial Pipeline in Alpharetta, like UPS in Sandy Springs, like our electric utilities in Gwinnett and Forsyth Counties, Mr. Speaker, and many other companies in my home State of Georgia to get their technologies out faster, to make environments safer for their employees and for my constituents.

□ 1245

We all know that the transformative power of unmanned aviation is upon us. We have got to regulate that in a safe and responsible way to make sure that the rules are in place for certainty, for safety, and for opportunity for innovation. I believe we have that in this bill.

We have a choice, Mr. Speaker. We are either going to lead the world in unmanned aviation or we are going to cede leadership to countries like China. I say we seize leadership, and we are seizing it here in this bill.

The bill also commits that our airports—from the busiest airport in the world, Mr. Speaker, my hometown airport of Hartsfield-Jackson, the fourth busiest airport in the State; and also in my district, Mr. Speaker, is Briscoe Field in Lawrenceville—that these airports have access to long-term funding sustainability. We all know that yanking the pendulum back and forth on Federal funding does not serve any of our constituents' cause. Funding stability—knowing that they can count on the Federal Government to be their partner in providing innovation and improving the overall experience of those men and women who travel through these airports—is of vital importance.

And finally, Mr. Speaker, this bill ensures that our American airlines—like my hometown airline of Delta—can compete and win against anyone on the planet in terms of the service, reliability, safety, and customer service that we have come to expect. Again, aviation is a partnership in this country, Mr. Speaker, between private sector actors and public actors. We need to do all that we can, from our end of Pennsylvania Avenue, to be the very best partners that we can.

Of course, we can always do more, and I hope that we will continue to do more. I am expecting a very robust Transportation Committee cycle here over the next 9 months. But this bill today is a significant downpayment on our commitment to the American people to make our aviation infrastructure continue to be the very finest on the planet.

Mr. Speaker, this rule that, again, will govern debate of both H.R. 4 and H.R. 3144 is a fair rule. These are both commonsense measures that will benefit the American people. I hope my colleagues will see that, I hope my colleagues will come to the floor and support this rule, and I hope my colleagues will also support the two underlying measures.

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

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

I am proud to be the newest member of the House Rules Committee. When I expressed my desire to join the committee to the minority leader, I shared my hope that I could do my part to ensure the committee would allow the House to work its will in an open way. Unfortunately, the rule that we are bringing to the floor does not meet that standard. For that reason, I rise in opposition.

The rule we consider this afternoon is a combined rule for H.R. 3144, legislation to delay and derail management practices at the Federal Columbia River Power System in the Pacific Northwest, and H.R. 4, the Federal Aviation Administration Reauthorization Act. There is no reason for the House to take up these items in a combined rule. We have plenty of time to give each bill a full, robust debate, and plenty of time to allow the House an opportunity to vote on some of the 138 amendments filed to these bills that were not made in order under this rule.

Mr. Speaker, the House appears to be in a rush to leave here every single week. Last week, we only had three voting days, and with this combined rule, who knows how long we will be here this week. Perhaps we could use some of this extra time to take up a number of issues which Americans have been asking for.

Instead of making this yet another short week, how about we give Americans a vote on addressing gun violence by giving us a vote on background checks, bump stocks, assault weapons, gun trafficking reform; or ensuring that we don't find ourselves in a constitutional crisis by protecting the special counsel, and making sure that we address Russian interference in our elections; or allowing the House to actually take a vote on so many outstanding immigration issues by protecting DACA and TPS recipients?

There are 244 cosponsors of Representative DENHAM's ''Queen of the Hill'' resolution, including over 40 members of the majority party.

Nearly 8 months since President Trump terminated the DACA program, Congress has continually failed to protect the thousands of American Dreamers who lose their protections every single day. Dreamers are the educators, doctors, and small-business owners who make our communities better and help make our country stronger and safer.

There are very real consequences for the lack of a permanent solution to this crisis. The American people want us to act. We can respect their will by taking up the ''Queen of the Hill'' resolution on one of the many days where we find ourselves with nothing to do. We could work together to at least provide the House with a path forward where the best idea wins.

Mr. Speaker, instead of doing what we did last week by canceling voting days, let's take this time to act on behalf of our constituents. Why don't we put a stop to the administration's attack on the Affordable Care Act and work on bipartisan improvements to control the cost of healthcare, prescription drugs, and increase access to services?

Finally, why don't we take some time to do what I have been calling for since my first day in Congress and pass a large-scale infrastructure package? There are roads and bridges crumbling around our country, transit systems in need of significant repair, and a power grid waiting to enter the 21st century. We need robust investments in our transportation and energy infrastructure.

In its 2017 report card, the American Society of Civil Engineers gave us our infrastructure a nearly failing grade of a D-plus. But based on my experiences driving around my hometown, that might be a bit too generous.

These are all the things that have bipartisan agreement. It is up to us to address the real problems before us with leadership, security, and stability that the Nation demands.

That said, as I mentioned before, we have two bills included in this rule. The first is the FAA Authorization

Act, the first long-term FAA reauthorization since 2012. This legislation was developed over 3 years of bipartisan and stakeholder negotiations. It will provide long-term stability for our Nation's aviation community, continue investments in research and innovation, and make necessary reforms to improve American competitiveness and safety in aviation.

I appreciate Chairman SHUSTER working with Ranking Member DEFAZIO to ensure that this bill is as bipartisan as possible. I would have preferred that we did more to assist our Nation's airports, but this bill reflects the committee's will.

Airline safety is on all of our minds, especially after the tragedy of Southwest Flight 1380. Moving this bill forward, without the poison bill language we had seen in previous versions, will go a long way in improving passenger safety, passenger comfort, and the entire experience on our Nation's airlines.

Following my work to return the Ontario International Airport to local control, we have seen my hometown airport go through a renaissance with new flights being added constantly. It is my hope that this bill continues that growth and allows for more improvements at the airport.

While I am pleased this rule does make in order an amendment I offered to assist Ontario International Airport and airports like it, there are many amendments which were not made in order.

One such amendment I want to mention is Representative CARTWRIGHT's amendment No. 152 on single-pilot operations. I am extremely concerned with section 744 of the underlying legislation, which establishes an FAA research and development program in support of single-pilot all-cargo operations utilizing remote piloting or computer piloting technology.

Unfortunately, I believe moving in this direction—single-piloted aircraft—will result in excessive workload for pilots and safety risks for everyone.

I think it would have been fair for the House to give the Cartwright amendment a floor debate and a simple up-or-down vote.

In addition, I am disappointed that Representative GRACE MENG's amendment No. 28 was not made in order. This amendment would have standardized the treatment of animals aboard airlines.

I know we were all horrified when we read the reports last month of a pet who died after being forced into a luggage compartment, or being flushed down a toilet, or being forced to leave the plane.

According to a U.S. Department of Transportation report issued in February, 24 animals died in the care of U.S. carriers last year. I don't think it is too much to ask for a vote on the House floor to establish standards for the safety of our constituents' pets.

In addition to the FAA authorization bill, this rule will also bring H.R. 3144 to the floor. This bill is intended to provide for operations of the Federal Columbia River Power System and delay multiple court decisions which are intended to protect the local environment.

This legislation would derail the ongoing comprehensive efforts to improve dam management practices on the Columbia River basin, creating problematic conservation and management policies. The impact on salmon and steelhead trout, in particular, would harm not just the environment, but also tribes and businesses of the Pacific Northwest.

I joined the Rules Committee from my previous role as ranking member on the Indian, Insular, and Alaska Native Affairs Subcommittee. I was proud of the work I did to protect Tribal communities, and while serving in that role, I opposed this legislation due to the negative impact on local tribes.

The 2014 operation plan, which this bill attempts to re-implement, was developed by the Department of Commerce National Marine Fisheries Services. That plan was found to violate the Endangered Species Act and the National Environmental Policy Act, and failed to live up to the agreement we made with local tribes.

Native peoples of the Pacific Northwest ceded most of their ancestral homeland to the U.S. in exchange for the right to catch salmon and steelhead at their accustomed places. This tradition carries great cultural and religious significance, but the current operation plan would further harm Tribal fisheries.

Mr. Speaker, I oppose this rule and the underlying legislation because it fails to include the appropriate input from local tribes. I urge my colleagues to reconsider bringing this bill forward, and go back to the drawing board where an agreement can be reached that brings all affected parties on board.

Mr. Speaker, I urge my colleagues to oppose the rule we have before us, and I reserve the balance of my time.

□ 1300

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

Mr. Speaker, I say with no levity that we are absolutely thrilled to have Mrs. TORRES on the Rules Committee, as she has already made a contribution. She is going to continue to make a wonderful contribution.

I would say, Mr. Speaker, to my friend from California, that sometimes setting expectations is the right way to find success in the things that we pursue in our lives.

This FAA bill, I recognize her concerns that not every amendment was made in order. She is absolutely right. However, this bill did go through the Transportation and Infrastructure Committee, where all of our transportation subject matter experts are supposed to be, and absolutely every amendment was considered in that transportation committee.

Now it leaves the Transportation and Infrastructure Committee, where the subject matter experts are, and we have now made in order over 100 additional amendments brought from all across this House, more Democratic amendments made in order than Republican amendments made in order, but over 100 additional amendments made in order to try to perfect this bill.

It may not be everything that folks would like to see, but I would share with the gentlewoman, Mr. Speaker, that from my brief Rules Committee experience, we are getting close to a high-water mark here, and I am going to try to take credit and share enthusiasm when we have an opportunity to do it.

Mr. Speaker, I yield 3 minutes to the gentleman from Montana (Mr. GIANFORTE), for his insights on this legislation.

Mr. GIANFORTE. Mr. Speaker, I rise today in support of H.R. 3144, which will bring certainty to the management of the Federal Columbia River Power System.

For generations, the system has provided thousands of Montanans with clean, low-cost energy. Compliance with environmental mandates and litigation, however, threaten our way of life.

The Bonneville Power Administration spent over $700 million to comply with environmental red tape in 1 year alone. Thirty percent of those costs were passed on to taxpayers. A recent court-ordered spill released nearly $40 million of potential hydropower. Approximately 130,000 Montana taxpayers will pay a portion of the costs for this court-mandated spill. This increase is on top of rate hikes of up to 50 percent that western Montana electric co-ops have faced since 2011.

It is time to bring certainty to the operations of the Columbia River System.

Mr. Speaker, as a cosponsor of this bipartisan bill, I urge my colleagues to bring some relief to Montana taxpayers and pass H.R. 3144.

Mrs. TORRES. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), the distinguished ranking member of the Ways and Means Subcommittee on Tax Policy.

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

Recently, our attention was rightly focused on one passenger who was killed after jet engine failure.

Two years ago, July 30, 2016, 16 people were killed near Lockhart, Texas, in the deadliest commercial balloon crash in our Nation's history and the worst aviation disaster of any type in the last decade.

After that crash, this photo shows all that was left. Rightly, the head of the National Transportation Safety Board expressed his disappointment that the Federal Aviation Administration appears to be shirking its responsibility for the many people who go out to enjoy a commercial balloon flight.

Since 2016, I have repeatedly urged the FAA to adopt a safety measure, long recommended by the NTSB, to help avert tragedies like this.

The NTSB found that the FAA's refusal to require commercial balloon operators to obtain a medical certificate that they are suitable for flying contributed to this crash where so many were harmed.

My bipartisan amendment, that has been approved by the Rules Committee, would end this exemption for commercial balloon operations to ensure that there is not another family in America that is at risk of injury or death from an impaired pilot.

Continued inaction is inexcusable and risks condemning more to death.

Uniting in Caldwell County around the courthouse in morning prayer to remember the victims, a bell rang 16 times for each person who was lost; families, coming together in their hurt, lovingly embraced by that community.

You cannot un-ring a bell, and we cannot bring the precious lives back that were lost in this crash. But from their loss, we can pass an amendment that will help ensure that no other family needlessly suffers.

Mr. Speaker, I urge adoption of the amendment in the course of the debate.

Mr. WOODALL. Mr. Speaker, I yield 10 minutes to the gentleman from Washington State (Mr. NEWHOUSE), a member of the Rules Committee and a subject matter expert on the Columbia River bill before us.

Mr. NEWHOUSE. Mr. Speaker, I thank the gentleman, Mr. WOODALL, my good friend from the Rules Committee, for yielding me such time.

Mr. Speaker, I also welcome Mrs. TORRES to her first management of a rule on the floor. It is a pleasure to have her as part of the Rules Committee.

Mr. Speaker, I rise in support of the rule, including the underlying legislation, H.R. 3144, of which I am a proud original cosponsor.

H.R. 3144, Mr. Speaker, is a vital piece of legislation for my constituents as well as for the greater Pacific Northwest region.

The legislation keeps in place a groundbreaking, comprehensive plan which governs the operations and salmon protection management plan for the Federal Columbia River Power System.

This plan was the product of painstaking negotiations conducted by the Bush and the Obama administrations, scientists, engineering experts at Federal agencies, affected States, sovereign Northwest Tribes, and local stakeholders. In fact, every Tribe in the region was consulted in the development of the 2014 biological opinion, and all but one supported it.

H.R. 3144 ensures that Tribal consultations provided for under the BiOp continue unaffected.

These experts collaborated to develop this comprehensive plan to both protect Endangered Species Act-listed salmon and to provide certainty for our region's ability to continue providing clean, renewable, and affordable power derived from hydroelectric dams.

Now, unfortunately, a Federal judge in Portland, Oregon, has decided to throw out this comprehensive plan and negate years of serious concerted efforts by a diverse set of Federal, State, and local stakeholders. He has anointed himself the sole expert of this river system and has begun dictating scientific and engineering decisions.

As my friend Jack Heffling says: ''One judge in Portland does not know how to manage this river system better than the experts and professional workforce who keep the lights on for the entire Pacific Northwest.''

Jack is president of the United Power Trades Organization, a labor union representing more than 600 men and women who maintain and operate the equipment at hydroelectric projects throughout the Pacific Northwest.

Mr. Speaker, I stand with Jack today and all of the men and women of the power trades. I believe the experts, scientists and biologists, engineers, and professional workers at Federal agencies and on the ground working at our dams should be deciding how to best manage this system, not a judge sitting behind a bench.

Unfortunately, this judge thinks otherwise and now has mandated an ongoing forced spill order over eight of our dams in the region. This order could have devastating impacts on transportation and barging systems, on our flood control capabilities, and irrigation systems; it could impair our agricultural economy, both by limiting modes of transportation for our commodities and by hobbling our irrigation resources.

While there are no cost estimates of the effects this decision will have on transportation and barging, flood control, or irrigation, Federal agencies have estimated that the forced spill will cost ratepayers, utility ratepayers, $40 million per year in increased electrical rates starting in the very near future.

The judge's order could also harm the very fish he is claiming to protect. The Bonneville Power Administration, or the BPA, notes that the risks of exposing fish to the maximum total dissolved gas levels have not been evaluated, nor has it been recommended by the National Marine Fisheries Service or the U.S. Army Corps of Engineers.

They warn that the potential for adverse effects from exposure to these gases in the river is a concern recognized by experts in the region and also creates risk of adverse consequences for other aquatic species.

The judge's decision to recklessly dictate a water management plan could, in fact, harm or even kill these ESA-listed salmon.

This order also threatens the reliability of the Federal power and transmission system. BPA has also warned of blackouts, stating:

> When the Lower Columbia and Lower Snake generators are operating at minimum generation levels, however . . . there is far less generation available for use. . . . Under the right conditions, local blackouts may occur if there is inadequate transfer capability in the transmission system to move the necessary electric power to loads.

I am already hearing from our local cooperatives and public utility districts that this threat is not far off. Our communities could be facing the risk of rolling blackouts in the coming months due to this order.

Mr. Speaker, it is because of this reckless antiscience order that constituents and stakeholders from a great variety of backgrounds and viewpoints have joined with me and my colleagues from the Pacific Northwest over these past several months to stand against this decision and support a rational, science-based resolution.

I have been overwhelmed and invigorated by these supporters, whether it is the barge captains on our rivers, who move commodities like wheat for export; or small-business owners, who depend on our affordable electricity throughout the Pacific Northwest; it is the union workers at our hydropower dams and the irrigators, who provide the incredibly vital resource of water for our region; it is the local cooperative managers and public utility district leaders across Washington State and throughout the Northwest who have rallied to bring this legislation to the floor of the U.S. House of Representatives today, and I could not be more proud to stand with all of them in support of H.R. 3144.

Mr. Speaker, unfortunately, not every aspect of this matter has been as inspiring. I have been disappointed to see radical and ideological groups use hyperbolic language to insinuate that my colleagues and I are actively advocating for the extinction of our native salmon species.

Let me tell you, Mr. Speaker, nothing could be further from the truth, and, frankly, I have been appalled that some of my colleagues in this very body have decided to use these same scare tactics to fearmonger other Members of this House.

They claim we advocate for an illegal or an unlawful plan that does not do enough to help fish, yet they fail to mention that it was President Obama's administration who formally approved of this plan after years of work with scientists, with experts, with affected States, and, like I said, with sovereign Northwest Indian Tribes.

Mr. Speaker, I take offense to these fringe voices and proudly stand with the reasoned, serious contributors who have been a part of these collaborative and unprecedented negotiations.

I challenge these detractors, let this plan actually come to fruition, let us actually have a plan that has the intent of continuing our salmon restoration efforts, rather than constantly bogging down our Federal action agencies and experts running the system in decades of litigation after litigation.

Honor the work of these diverse stakeholders who, in a good faith effort, worked to build a plan to both save our salmon and save our dams.

Mr. Speaker, I urge my colleagues, support the rule and support H.R. 3144. Join me to save our salmon and save our dams.

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

Mr. Speaker, President Trump campaigned on the promise of draining the swamp, but has instead allowed corruption to run rampant in the executive office. Several Cabinet officials are being investigated for ethics violations and the misuse of Federal funds.

Housing and Urban Development Secretary Carson spent over $31,000 on a new dining room set for his office. Interior Secretary Zinke spent $139,000 of taxpayer money to remodel three sets of office doors.

One of the most outrageous practices by President Trump's Cabinet is the hundreds of thousands of dollars spent on luxury air travel. Just a couple of examples: Environmental Protection Agency Administrator Pruitt spent over $14,000 on a private jet traveling just 300 miles within Oklahoma.

□ 1315

Interior Secretary Zinke cost the taxpayers $12,000 chartering a plane belonging to an oil and gas exploration firm.

President Trump recently said: ''Sometimes it may not look like it, but believe me, we are draining the swamp.''

Well, with a Cabinet like this, I have to agree with President Trump in part. It does not look like he is draining the swamp, but that is because he is not.

For this reason, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative LIEU's H.R. 3876, the SWAMP FLYERS Act. This legislation will ensure that senior political appointees are not using Federal funds for official travel on private aircraft.

Unlike the restrictive rules we are considering today, this bill would be brought to the floor under an open rule so that all Members have the opportunity to amend the bill on the floor.

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

The SPEAKER pro tempore (Mr. FLEISCHMANN). Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. TORRES. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. TED LIEU) to discuss this proposal.

Mr. TED LIEU of California. Mr. Speaker, whether you are a Republican or a Democrat or an Independent, you don't want corruption in your government. Unfortunately, multiple members of Donald Trump's Cabinet have engaged in massive fraud, waste, and abuse, largely by using taxpayer funds on luxury private air travel.

Democrats have been calling repeatedly for investigations into Trump's ''Cabinet of Corruption.'' Unfortunately, the Republican-controlled House has largely protected these officials at every turn. So I am going to highlight to you some of the more egregious examples, and we have added up the numbers.

Representative TORRES gave very specific examples, but we are going to give you the big numbers so you understand how much corruption there is.

It all started with former Health and Human Services Secretary Tom Price, who spent half a million dollars of taxpayer funds on private and military jet travel for no good reason. He could have taken commercial. He chose not to.

Treasury Secretary Steve Mnuchin looked at that and must have said ''what a great idea,'' because he doubled that spending. He spent nearly $1 million of taxpayer funds on at least seven military jets, for no good reason, because he could have flown commercial, just like his predecessors.

And then we have Interior Secretary Ryan Zinke, who took multiple trips that added up to thousands of dollars on expensive private jets, as well as about $139,000 to renovate his office doors.

Then we have former Veterans Affairs Secretary David Shulkin, who spent $122,000 of taxpayer funds on a trip to Europe with his wife, largely to do sightseeing.

But EPA Administrator Scott Pruitt, he takes this to a whole new level. He is so creative in his corruption. You will be very impressed to hear how ingenious he is.

First of all, he spent over $40,000 on a private phone booth of your hard-earned taxpayer funds. For most Americans, we know there is a very simple way to make private phone calls from your office; it is called closing the office door. But no, he didn't do that. He spent your hard-earned money to have this private phone booth for him to make his phone calls.

Then he managed to find a way to live here in Washington, D.C., cheaply, by getting a below-market rate condo deal, $50 a night; and then he structured the lease so that the landlord had to keep the condo open for the entire time for 6 months, but he only had to pay for the days that he stayed there. No ordinary citizens could have gotten that lease.

Then he spent over $200,000 of your hard-earned taxpayers' money, on, again, first class travel and chartered flights.

The Trump administration's ''Cabinet of Corruption'' is sticking Americans with a raw deal. Democrats believe that hardworking Americans deserve a better deal, and my bill, the SWAMP FLYERS Act is very simple. It will prevent administration officials from using taxpayer funds for private air travel, ensuring that government officials are not using your hard-earned taxpayer dollars to fund their lavish lifestyles.

If my colleagues care about protecting our tax dollars and preventing these obvious abuses, they will vote ''no'' on the previous question and call up H.R. 3876, the SWAMP FLYERS Act, for a vote.

Mr. WOODALL. Mr. Speaker, with great optimism that we will return to the bill at hand, I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Nevada (Ms. TITUS), the distinguished ranking member of the Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings and Emergency Management.

Ms. TITUS. Mr. Speaker, after testifying before the Rules Committee last night on my amendment to this bill, H.R. 4, a worthy amendment that, by the way, was not made in order and will not be debated or voted on by this body, I felt compelled to speak about the broken process that dominates this Congress.

The Speaker promised us an open and inclusive process but, in reality, it has never been more closed. Members play very little role in legislating today. Instead, the agenda is dictated and the process is controlled by a failed leadership cabal.

Let me remind my colleagues on the other side of the aisle that majorities can switch and, when they do, previous mistreatment, unfairness, and disregard for the democratic process will be hard to forget.

In the meantime, we can reverse this destructive trend and better serve the American people by rejecting the rule before us, so I urge a ''no'' vote on the rule.

Mr. WOODALL. Mr. Speaker, I would advise my friend from California I do not have any speakers remaining, and so I am prepared to close when she is. I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, I urge my colleagues to oppose the previous question and the rule, and I yield back the balance of my time.

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

Mr. Speaker, I had a wonderful closing statement but, against that backdrop of collegiality, I will say only this. I did mention earlier that subject matter experts were assigned to the Transportation and Infrastructure Committee. My friend, Ms. TITUS, is on that committee; I am on that committee.

As a subject matter expert, my mom and dad come to me regularly to help them with their airline reservations, Delta Airlines, of course, being an Atlantan. But just recently, they were heading out to California; demanded that I make those reservations going into Ontario instead of LAX because, why in the world would anyone want to

battle LAX when they could be in the Torres district there in Ontario?

They were treated wonderfully and had a wonderful visit, so I recognize the gentlewoman's passion for her airport.

Mr. Speaker, if you have an airport in your district, if you have aviation travelers in your district, you want the FAA to be reauthorized. This bill, this rule makes that possible. This bill gets that job done in an open, collaborative, and bipartisan way. I urge my colleagues to support this rule, support the underlying bills.

The material previously referred to by Mrs. TORRES is as follows:

AN AMENDMENT TO H. RES. 839 OFFERED BY MS. TORRES

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

SEC. 5. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3876) to prohibit the use of Federal funds for the official travel of any senior political appointee on private aircraft, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3876.

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THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of the adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 225, nays 190, not voting 13, as follows:

[Roll No. 150]

YEAS—225

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

NAYS—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)

Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Black
Capuano
Crawford
Gowdy
Grothman
Jenkins (WV)
Kuster (NH)
Labrador
Lewis (GA)
Noem
Rooney, Thomas J.
Scalise
Walz

□ 1353

Mr. LAMB and Ms. BASS changed their vote from ''yea'' to ''nay.''

Mr. THOMPSON of Pennsylvania changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mrs. TORRES. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 184, not voting 16, as follows:

[Roll No. 151]

AYES—228

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

NOES—184

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

NOT VOTING—16

Black
Capuano
Crawford
Gowdy
Grothman
Issa
Jenkins (WV)
Kuster (NH)
Labrador
Lewis (GA)
Noem
Rooney, Thomas J.
Scalise
Sewell (AL)
Speier
Walz

□ 1400

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SCALISE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 150 and ''yea'' on rollcall No. 151.

## SMITHSONIAN NATIONAL ZOOLOGICAL PARK CENTRAL PARKING FACILITY AUTHORIZATION ACT

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration and the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 4009) to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a central parking facility on National Zoological Park property in the District of Columbia, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 4009

*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 ''Smithsonian National Zoological Park Central Parking Facility Authorization Act''.

**SEC. 2. FACILITY FOR IMPROVED VISITOR EXPERIENCE AND ACCESS AT THE NATIONAL ZOOLOGICAL PARK.**

(a) IN GENERAL.—In order to improve visitor experience and multi-modal access to the Smithsonian National Zoological Park, the Board of Regents of the Smithsonian Institution is authorized to plan, design, and

construct a central parking facility on National Zoological Park property in the District of Columbia.

(b) CENTRAL PARKING FACILITY.—The facility authorized under this section may include parking, transportation improvements, visitor amenities including restrooms, a pedestrian bridge to a midpoint entry of the National Zoological Park, and ancillary works to accommodate alternative uses of the facility.

(c) FUNDING.—Construction of the facility described in this section shall be conducted with funds from nonappropriated sources.

Mr. HARPER. Mr. Speaker, I rise today in support of H.R. 4009, which authorizes the Board of Regents of the Smithsonian Institution to plan, design, and construct a central parking facility on National Zoological Park property in the District of Columbia using nonappropriated funds.

Established by Congress in 1889, the National Zoo was incorporated as a unit of the Smithsonian Institution in 1890. Today, the National Zoo consists of two components: the 3,200-acre Conservation Biology Institute in Front Royal, Virginia and the public National Zoological Park (Zoo) located at the 163-acre Rock Creek campus in Washington, D.C. Admission is free of charge and with more than two million people visiting the Rock Creek facility in 2017, the Zoo remains a favorite tourist and local destination in the nation's Capital.

While public transit is an option for some visitors, many others rely on private vehicles to reach the Zoo. Currently, parking at the Zoo includes several paved surface lots spread across the campus, which often fill up early in the day during peak season. To better serve these visitors, the proposed new parking facility consolidates public parking into a multilevel parking garage located at the midpoint of the Zoo.

Included in the Zoo's 2008 Comprehensive Facilities Master Plan, the parking facility will provide a number of benefits that both further the Zoo's mission and improve the visitor experience. These benefits include expanding animal habitat space through repurposing existing surface lots; improving visitor access with a centralized and accessible arrival point; increasing security through consolidation of access points; improved pedestrian safety; and expanding the number of on-site visitor parking spaces which reduces the number of days the Zoo must turn away visitors due to lack of parking. The additional parking spaces will help accommodate a projected increase in the number of visitors to the Zoo.

No appropriated funds will be expended for the project. The Smithsonian intends to enter into a public-private-partnership for the construction and operation of the parking facility. The developer would be responsible for design, construction, maintenance, and operations for a fixed term of 35 years after which ownership is retained by the Zoo. Financing is the sole responsibility of the developer, with construction cost estimated at $70–75 million and annual operating costs at $1.5 million. As part of the agreement, the Zoo receives an initial annual payment of $7 million and a recurring annual payment based on revenues with a guaranteed minimum of $1 million. Design, construction, operations and maintenance will be conducted in accordance with the contract and plans approved by the Smithsonian.

The Committee on House Administration held a markup on this bill on December 13, 2017 and ordered the bill reported favorably to the House, by voice vote, with no amendments. In its December 21, 2017 cost estimate, the Congressional Budget Office states that enacting H.R. 4009 would not affect the federal budget and would not affect direct spending or revenues. Additionally, the Committee on House Administration exchanged jurisdiction letters with the Committee on Transportation and Infrastructure.

I urge my colleagues to support H.R. 4009.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, December 21, 2017.*

Hon. GREGG HARPER,
*Chairman, Committee on House Administration, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4009, the Smithsonian National Zoological Park Central Parking Facility Authorization Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Meredith Decker.

Sincerely,

KEITH HALL,
*Director.*

Enclosure.

H.R. 4009—SMITHSONIAN NATIONAL ZOOLOGICAL PARK CENTRAL PARKING FACILITY AUTHORIZATION ACT

As ordered reported by the House Committee on House Administration on December 13, 2017

H.R. 4009 would authorize the Smithsonian Institution to plan, design, and construct a central parking facility on the National Zoological Park's property in the District of Columbia. Construction would be financed with nonappropriated funds.

CBO estimates that implementing H.R. 4009 would not affect the federal budget. Because enacting the legislation would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 4009 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 4009 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Meredith Decker. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
*Washington, DC, April 24, 2018.*

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and Infrastructure, Washington, DC.*

DEAR CHAIRMAN SHUSTER: I am writing in regard to H.R. 4009, Smithsonian National Zoological Park Central Parking Facility Authorization Act. As you know, the bill was introduced on October 11, 2017, and referred to the Committee on House Administration, with an additional referral to the Committee on Transportation and Infrastructure. The bill authorizes the Board of Regents of the Smithsonian Institution to plan, design, and construct a central parking facility on National Zoological Park property in the District of Columbia using non-appropriated funds. On December 13, 2017 the Committee on House Administration reported H.R. 4009 favorably out of Committee by voice vote without amendment.

The Committee on House Administration recognizes that the Committee on Transportation and Infrastructure has an additional referral of H.R. 4009. We ask that the Committee on Transportation and Infrastructure be discharged from consideration of H.R. 4009 to expedite the bill. It is the understanding of the Committee on House Administration that forgoing action on H.R. 4009 will not prejudice the Committee on Transportation and Infrastructure with respect to any future jurisdictional claim over the subject matters contained in the bill that fall under your Committee's Rule X jurisdiction.

Sincerely,

GREGG HARPER,
*Chairman.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
*Washington, DC, April 24, 2018.*

Hon. GREGG HARPER,
*Chairman, Committee on House Administration, Washington, DC.*

DEAR CHAIRMAN HARPER: Thank you for your letter concerning H.R. 4009, the Smithsonian National Zoological Park Central Parking Facility Authorization Act. As noted, the Committee on Transportation and Infrastructure received an additional referral on this legislation.

In order to expedite floor consideration of H.R. 4009, the Committee on Transportation and Infrastructure agrees to forgo action on this bill. However, as you noted, this is conditional on our mutual understanding that forgoing consideration of the bill would 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. Should a conference on the bill be necessary, I appreciate your agreement to support my request to have the Committee represented on the conference committee.

Thank you for your cooperation on this matter and for agreeing to place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
*Chairman.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 4009.

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

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

## MUSIC MODERNIZATION ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5447) to modernize copyright law, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5447

*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 ''Music Modernization Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Rescission Of Unobligated Balances In The Department Of Justice Assets Forfeiture Fund.

TITLE I—MUSIC LICENSING MODERNIZATION

Sec. 101. Short title.
Sec. 102. Blanket license for digital uses and mechanical licensing collective.
Sec. 103. Amendments to section 114.
Sec. 104. Random assignment of rate court proceedings.

TITLE II—COMPENSATING LEGACY ARTISTS FOR THEIR SONGS, SERVICE, AND IMPORTANT CONTRIBUTIONS TO SOCIETY

Sec. 201. Short title.
Sec. 202. Unauthorized digital performance of pre-1972 sound recordings.
Sec. 203. Effective date.

TITLE III—ALLOCATION FOR MUSIC PRODUCERS

Sec. 301. Short title.
Sec. 302. Payment of statutory performance royalties.
Sec. 303. Effective date.

**SEC. 2. RESCISSION OF UNOBLIGATED BALANCES IN THE DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.**

Of the unobligated balances available under the Department of Justice Assets Forfeiture Fund, $47,000,000 is hereby permanently rescinded.

## TITLE I—MUSIC LICENSING MODERNIZATION

**SEC. 101. SHORT TITLE.**

This title may be cited as the ''Musical Works Modernization Act''.

**SEC. 102. BLANKET LICENSE FOR DIGITAL USES AND MECHANICAL LICENSING COLLECTIVE.**

(a) AMENDMENT.—Section 115 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''IN GENERAL'' after ''AVAILABILITY AND SCOPE OF COMPULSORY LICENSE'';

(B) by striking paragraph (1) and inserting the following new paragraph:

''(1) ELIGIBILITY FOR COMPULSORY LICENSE.—

''(A) CONDITIONS FOR COMPULSORY LICENSE.—A person may by complying with the provisions of this section obtain a compulsory license to make and distribute phonorecords of a nondramatic musical work, including by means of digital phonorecord delivery. A person may obtain a compulsory license only if the primary purpose in making phonorecords of the musical work is to distribute them to the public for private use, including by means of digital phonorecord delivery, and—

''(i) phonorecords of such musical work have previously been distributed to the public in the United States under the authority of the copyright owner of the work, including by means of digital phonorecord delivery; or

''(ii) in the case of a digital music provider seeking to make and distribute digital phonorecord deliveries of a sound recording embodying a musical work under a compulsory license for which clause (i) does not apply—

''(I) the first fixation of such sound recording was made under the authority of the musical work copyright owner, and sound recording copyright owner has the authority of the musical work copyright owner to make and distribute digital phonorecord deliveries embodying such work to the public in the United States; and

''(II) the sound recording copyright owner or its authorized distributor has authorized the digital music provider to make and distribute digital phonorecord deliveries of the sound recording to the public in the United States.

''(B) DUPLICATION OF SOUND RECORDING.—A person may not obtain a compulsory license for the use of the work in the making of phonorecords duplicating a sound recording fixed by another, including by means of digital phonorecord delivery, unless—

''(i) such sound recording was fixed lawfully; and

''(ii) the making of the phonorecords was authorized by the owner of the copyright in the sound recording or, if the sound recording was fixed before February 15, 1972, by any person who fixed the sound recording pursuant to an express license from the owner of the copyright in the musical work or pursuant to a valid compulsory license for use of such work in a sound recording.''; and

(C) in paragraph (2), by striking ''A compulsory license'' and inserting ''MUSICAL ARRANGEMENT.—A compulsory license'';

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

''(b) PROCEDURES TO OBTAIN A COMPULSORY LICENSE.—

''(1) PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES.—A person who seeks to obtain a compulsory license under subsection (a) to make and distribute phonorecords of a musical work other than by means of digital phonorecord delivery shall, before or within 30 calendar days after making, and before distributing, any phonorecord of the work, serve notice of intention to do so on the copyright owner. If the registration or other public records of the Copyright Office do not identify the copyright owner and include an address at which notice can be served, it shall be sufficient to file the notice of intention with the Copyright Office. The notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation.

''(2) DIGITAL PHONORECORD DELIVERIES.—A person who seeks to obtain a compulsory license under subsection (a) to make and distribute phonorecords of a musical work by means of digital phonorecord delivery—

''(A) prior to the license availability date, shall, before or within 30 calendar days after first making any such digital phonorecord delivery, serve a notice of intention to do so on the copyright owner (but may not file the notice with the Copyright Office, even if the public records of the Office do not identify the owner or the owner's address), and such notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation; or

''(B) on or after the license availability date, shall, before making any such digital phonorecord delivery, follow the procedure described in subsection (d)(2), except as provided in paragraph (3).

''(3) RECORD COMPANY INDIVIDUAL DOWNLOAD LICENSES.—Notwithstanding paragraph (2)(B), a record company may, on or after the license availability date, obtain an individual download license in accordance with the notice requirements described in paragraph (2)(A) (except for the requirement that notice occur prior to the license availability date). A record company that obtains an individual download license as permitted under this paragraph shall provide statements of account and pay royalties as provided in subsection (c)(2)(I).

''(4) FAILURE TO OBTAIN LICENSE.—

''(A) PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES.—In the case of phonorecords made and distributed other than by means of digital phonorecord delivery, the failure to serve or file the notice of intention required by paragraph (1) forecloses the possibility of a compulsory license under paragraph (1). In the absence of a voluntary license, the failure to obtain a compulsory license renders the making and distribution of phonorecords actionable as acts of infringement under section 501 and subject to the remedies provided by sections 502 through 506.

''(B) DIGITAL PHONORECORD DELIVERIES.—

''(i) In the case of phonorecords made and distributed by means of digital phonorecord delivery:

''(I) The failure to serve the notice of intention required by paragraph (2)(A) or paragraph (3), as applicable, forecloses the possibility of a compulsory license under such paragraph.

''(II) The failure to comply with paragraph (2)(B) forecloses the possibility of a blanket license for a period of 3 years after the last calendar day on which the notice of license was required to be submitted to the mechanical licensing collective under such paragraph.

''(ii) In either case described in clause (i), in the absence of a voluntary license, the failure to obtain a compulsory license renders the making and distribution of phonorecords by means of digital phonorecord delivery actionable as acts of infringement under section 501 and subject to the remedies provided by sections 502 through 506.'';

(3) by amending subsection (c) to read as follows:

''(c) GENERAL CONDITIONS APPLICABLE TO COMPULSORY LICENSE.—

''(1) ROYALTY PAYABLE UNDER COMPULSORY LICENSE.—

''(A) IDENTIFICATION REQUIREMENT.—To be entitled to receive royalties under a compulsory license obtained under subsection (b)(1) the copyright owner must be identified in the registration or other public records of the Copyright Office. The owner is entitled to royalties for phonorecords made and distributed after being so identified, but is not entitled to recover for any phonorecords previously made and distributed.

''(B) ROYALTY FOR PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES.—Except as provided by subparagraph (A), for every phonorecord made and distributed under a compulsory license under subsection (a) other than by means of digital phonorecord delivery, with respect to each work embodied in the phonorecord, the royalty shall be the royalty prescribed under subparagraphs (D) through (F) and paragraph (2)(A) and chapter 8 of this title. For purposes of this subparagraph, a phonorecord is considered 'distributed' if the person exercising the compulsory license has voluntarily and permanently parted with its possession.

''(C) ROYALTY FOR DIGITAL PHONORECORD DELIVERIES.—For every digital phonorecord delivery of a musical work made under a

compulsory license under this section, the royalty payable shall be the royalty prescribed under subparagraphs (D) through (F) and paragraph (2)(A) and chapter 8 of this title.

''(D) AUTHORITY TO NEGOTIATE.—Notwithstanding any provision of the antitrust laws, any copyright owners of nondramatic musical works and any persons entitled to obtain a compulsory license under subsection (a) may negotiate and agree upon the terms and rates of royalty payments under this section and the proportionate division of fees paid among copyright owners, and may designate common agents on a nonexclusive basis to negotiate, agree to, pay or receive such royalty payments. Such authority to negotiate the terms and rates of royalty payments includes, but is not limited to, the authority to negotiate the year during which the royalty rates prescribed under this subparagraph and subparagraphs (E) and (F) and paragraph (2)(A) and chapter 8 of this title shall next be determined.

''(E) DETERMINATION OF REASONABLE RATES AND TERMS.—Proceedings under chapter 8 shall determine reasonable rates and terms of royalty payments for the activities specified by this section during the period beginning with the effective date of such rates and terms, but not earlier than January 1 of the second year following the year in which the petition requesting the proceeding is filed, and ending on the effective date of successor rates and terms, or such other period as the parties may agree. Any copyright owners of nondramatic musical works and any persons entitled to obtain a compulsory license under subsection (a) may submit to the Copyright Royalty Judges licenses covering such activities. The parties to each proceeding shall bear their own costs.

''(F) SCHEDULE OF REASONABLE RATES.—The schedule of reasonable rates and terms determined by the Copyright Royalty Judges shall, subject to paragraph (2)(A), be binding on all copyright owners of nondramatic musical works and persons entitled to obtain a compulsory license under subsection (a) during the period specified in subparagraph (E), such other period as may be determined pursuant to subparagraphs (D) and (E), or such other period as the parties may agree. The Copyright Royalty Judges shall establish rates and terms that most clearly represent the rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller. In determining such rates and terms for digital phonorecord deliveries, the Copyright Royalty Judges shall base their decision on economic, competitive, and programming information presented by the parties, including—

''(i) whether use of the compulsory licensee's service may substitute for or may promote the sales of phonorecords or otherwise may interfere with or may enhance the musical work copyright owner's other streams of revenue from its musical works; and

''(ii) the relative roles of the copyright owner and the compulsory licensee in the copyrighted work and the service made available to the public with respect to the relative creative contribution, technological contribution, capital investment, cost, and risk.

''(2) ADDITIONAL TERMS AND CONDITIONS.—

''(A) VOLUNTARY LICENSES AND CONTRACTUAL ROYALTY RATES.—

''(i) License agreements voluntarily negotiated at any time between one or more copyright owners of nondramatic musical works and one or more persons entitled to obtain a compulsory license under subsection (a) shall be given effect in lieu of any determination by the Copyright Royalty Judges. Subject to clause (ii), the royalty rates determined pursuant to subparagraphs (E) and (F) of paragraph (1) shall be given effect as to digital phonorecord deliveries in lieu of any contrary royalty rates specified in a contract pursuant to which a recording artist who is the author of a nondramatic musical work grants a license under that person's exclusive rights in the musical work under paragraphs (1) and (3) of section 106 or commits another person to grant a license in that musical work under paragraphs (1) and (3) of section 106, to a person desiring to fix in a tangible medium of expression a sound recording embodying the musical work.

''(ii) The second sentence of clause (i) shall not apply to—

''(I) a contract entered into on or before June 22, 1995, and not modified thereafter for the purpose of reducing the royalty rates determined pursuant to subparagraphs (E) and (F) of paragraph (1) or of increasing the number of musical works within the scope of the contract covered by the reduced rates, except if a contract entered into on or before June 22, 1995, is modified thereafter for the purpose of increasing the number of musical works within the scope of the contract, any contrary royalty rates specified in the contract shall be given effect in lieu of royalty rates determined pursuant to subparagraphs (E) and (F) of paragraph (1) for the number of musical works within the scope of the contract as of June 22, 1995; and

''(II) a contract entered into after the date that the sound recording is fixed in a tangible medium of expression substantially in a form intended for commercial release, if at the time the contract is entered into, the recording artist retains the right to grant licenses as to the musical work under paragraphs (1) and (3) of section 106.

''(B) SOUND RECORDING INFORMATION.—Except as provided in section 1002(e) of this title, a digital phonorecord delivery licensed under this paragraph shall be accompanied by the information encoded in the sound recording, if any, by or under the authority of the copyright owner of that sound recording, that identifies the title of the sound recording, the featured recording artist who performs on the sound recording, and related information, including information concerning the underlying musical work and its writer.

''(C) INFRINGEMENT REMEDIES.—

''(i) A digital phonorecord delivery of a sound recording is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506, unless—

''(I) the digital phonorecord delivery has been authorized by the sound recording copyright owner; and

''(II) the entity making the digital phonorecord delivery has obtained a compulsory license under subsection (a) or has otherwise been authorized by the musical work copyright owner, or by a record company pursuant to an individual download license, to make and distribute phonorecords of each musical work embodied in the sound recording by means of digital phonorecord delivery.

''(ii) Any cause of action under this subparagraph shall be in addition to those available to the owner of the copyright in the nondramatic musical work under subparagraph (J) and section 106(4) and the owner of the copyright in the sound recording under section 106(6).

''(D) LIABILITY OF SOUND RECORDING OWNERS.—The liability of the copyright owner of a sound recording for infringement of the copyright in a nondramatic musical work embodied in the sound recording shall be determined in accordance with applicable law, except that the owner of a copyright in a sound recording shall not be liable for a digital phonorecord delivery by a third party if the owner of the copyright in the sound recording does not license the distribution of a phonorecord of the nondramatic musical work.

''(E) RECORDING DEVICES AND MEDIA.—Nothing in section 1008 shall be construed to prevent the exercise of the rights and remedies allowed by this paragraph, subparagraph (J), and chapter 5 in the event of a digital phonorecord delivery, except that no action alleging infringement of copyright may be brought under this title against a manufacturer, importer or distributor of a digital audio recording device, a digital audio recording medium, an analog recording device, or an analog recording medium, or against a consumer, based on the actions described in such section.

''(F) PRESERVATION OF RIGHTS.—Nothing in this section annuls or limits (i) the exclusive right to publicly perform a sound recording or the musical work embodied therein, including by means of a digital transmission, under sections 106(4) and 106(6), (ii) except for compulsory licensing under the conditions specified by this section, the exclusive rights to reproduce and distribute the sound recording and the musical work embodied therein under sections 106(1) and 106(3), including by means of a digital phonorecord delivery, or (iii) any other rights under any other provision of section 106, or remedies available under this title, as such rights or remedies exist either before or after the date of enactment of the Digital Performance Right in Sound Recordings Act of 1995.

''(G) EXEMPT TRANSMISSIONS AND RETRANSMISSIONS.—The provisions of this section concerning digital phonorecord deliveries shall not apply to any exempt transmissions or retransmissions under section 114(d)(1). The exemptions created in section 114(d)(1) do not expand or reduce the rights of copyright owners under section 106(1) through (5) with respect to such transmissions and retransmissions.

''(H) DISTRIBUTION BY RENTAL, LEASE, OR LENDING.—A compulsory license obtained under subsection (b)(1) to make and distribute phonorecords includes the right of the maker of such a phonorecord to distribute or authorize distribution of such phonorecord, other than by means of a digital phonorecord delivery, by rental, lease, or lending (or by acts or practices in the nature of rental, lease, or lending). With respect to each nondramatic musical work embodied in the phonorecord, the royalty shall be a proportion of the revenue received by the compulsory licensee from every such act of distribution of the phonorecord under this clause equal to the proportion of the revenue received by the compulsory licensee from distribution of the phonorecord under subsection (a)(1)(A)(ii)(II) that is payable by a compulsory licensee under that clause and under chapter 8. The Register of Copyrights shall issue regulations to carry out the purpose of this clause.

''(I) PAYMENT OF ROYALTIES AND STATEMENTS OF ACCOUNT.—Except as provided in paragraphs (4)(A)(i) and (10)(B) of subsection (d), royalty payments shall be made on or before the twentieth day of each month and shall include all royalties for the month next preceding. Each monthly payment shall be made under oath and shall comply with requirements that the Register of Copyrights shall prescribe by regulation. The Register shall also prescribe regulations under which detailed cumulative annual statements of account, certified by a certified public accountant, shall be filed for every compulsory license under subsection (a). The regulations covering both the monthly and the annual statements of account shall prescribe the form, content, and manner of certification with respect to the number of records made and the number of records distributed.

''(J) NOTICE OF DEFAULT AND TERMINATION OF COMPULSORY LICENSE.—In the case of a license obtained under subsection (b)(1), (b)(2)(A), or (b)(3), if the copyright owner does not receive the monthly payment and the monthly and annual statements of account when due, the owner may give written notice to the licensee that, unless the default is remedied within thirty days from the date of the notice, the compulsory license will be automatically terminated. Such termination renders either the making or the distribution, or both, of all phonorecords for which the royalty has not been paid, actionable as acts of infringement under section 501 and fully subject to the remedies provided by sections 502 through 506. In the case of a license obtained under subsection (b)(2)(B), license authority under the compulsory license may be terminated as provided in subsection (d)(4)(E).'';

(4) by amending subsection (d) to read as follows:

''(d) BLANKET LICENSE FOR DIGITAL USES, MECHANICAL LICENSING COLLECTIVE, AND DIGITAL LICENSEE COORDINATOR.—

''(1) BLANKET LICENSE FOR DIGITAL USES.—

''(A) IN GENERAL.—A digital music provider that qualifies for a compulsory license under subsection (a) may, by complying with the terms and conditions of this subsection, obtain a blanket license from copyright owners through the mechanical licensing collective to make and distribute digital phonorecord deliveries of musical works through one or more covered activities.

''(B) INCLUDED ACTIVITIES.—A blanket license—

''(i) covers all musical works (or shares of such works) available for compulsory licensing under this section for purposes of engaging in covered activities, except as provided in subparagraph (C);

''(ii) includes the making and distribution of server, intermediate, archival, and incidental reproductions of musical works that are reasonable and necessary for the digital music provider to engage in covered activities licensed under this subsection, solely for the purpose of engaging in such covered activities; and

''(iii) does not cover or include any rights or uses other than those described in clauses (i) and (ii).

''(C) OTHER LICENSES.—A voluntary license for covered activities entered into by or under the authority of one or more copyright owners and one or more digital music providers, or authority to make and distribute permanent downloads of a musical work obtained by a digital music provider from a sound recording copyright owner pursuant to an individual download license, shall be given effect in lieu of a blanket license under this subsection with respect to the musical works (or shares thereof) covered by such voluntary license or individual download authority and the following conditions apply:

''(i) Where a voluntary license or individual download license applies, the license authority provided under the blanket license shall exclude any musical works (or shares thereof) subject to the voluntary license or individual download license.

''(ii) An entity engaged in covered activities under a voluntary license or authority obtained pursuant to an individual download license that is a significant nonblanket licensee shall comply with paragraph (6)(A).

''(iii) The rates and terms of any voluntary license shall be subject to the second sentence of clause (i) and clause (ii) of subsection (c)(2)(A) and paragraph (9)(C), as applicable.

''(D) PROTECTION AGAINST INFRINGEMENT ACTIONS.—A digital music provider that obtains and complies with the terms of a valid blanket license under this subsection shall not be subject to an action for infringement of the exclusive rights provided by paragraphs (1) and (3) of section 106 under this title arising from use of a musical work (or share thereof) to engage in covered activities authorized by such license, subject to paragraph (4)(E).

''(E) OTHER REQUIREMENTS AND CONDITIONS APPLY.—Except as expressly provided in this subsection, each requirement, limitation, condition, privilege, right, and remedy otherwise applicable to compulsory licenses under this section shall apply to compulsory blanket licenses under this subsection.

''(2) AVAILABILITY OF BLANKET LICENSE.—

''(A) PROCEDURE FOR OBTAINING LICENSE.—A digital music provider may obtain a blanket license by submitting a notice of license to the mechanical licensing collective that specifies the particular covered activities in which the digital music provider seeks to engage, as follows:

''(i) The notice of license shall comply in form and substance with requirements that the Register of Copyrights shall establish by regulation.

''(ii) Unless rejected in writing by the mechanical licensing collective within 30 calendar days after receipt, the blanket license shall be effective as of the date the notice of license was sent by the digital music provider as shown by a physical or electronic record.

''(iii) A notice of license may only be rejected by the mechanical licensing collective if—

''(I) the digital music provider or notice of license does not meet the requirements of this section or applicable regulations, in which case the requirements at issue shall be specified with reasonable particularity in the notice of rejection; or

''(II) the digital music provider has had a blanket license terminated by the mechanical licensing collective within the past 3 years pursuant to paragraph (4)(E).

''(iv) If a notice of license is rejected under clause (iii)(I), the digital music provider shall have 30 calendar days after receipt of the notice of rejection to cure any deficiency and submit an amended notice of license to the mechanical licensing collective. If the deficiency has been cured, the mechanical licensing collective shall so confirm in writing, and the license shall be effective as of the date that the original notice of license was provided by the digital music provider.

''(v) A digital music provider that believes a notice of license was improperly rejected by the mechanical licensing collective may seek review of such rejection in Federal district court. The district court shall determine the matter de novo based on the record before the mechanical licensing collective and any additional evidence presented by the parties.

''(B) BLANKET LICENSE EFFECTIVE DATE.—Blanket licenses shall be made available by the mechanical licensing collective on and after the license availability date. No such license shall be effective prior to the license availability date.

''(3) MECHANICAL LICENSING COLLECTIVE.—

''(A) IN GENERAL.—The mechanical licensing collective shall be a single entity that—

''(i) is a nonprofit, not owned by any other entity, that is created by copyright owners to carry out responsibilities under this subsection;

''(ii) is endorsed by and enjoys substantial support from musical work copyright owners that together represent the greatest percentage of the licensor market for uses of such works in covered activities, as measured over the preceding 3 full calendar years;

''(iii) is able to demonstrate to the Register of Copyrights that it has, or will have prior to the license availability date, the administrative and technological capabilities to perform the required functions of the mechanical licensing collective under this subsection; and

''(iv) has been designated by the Register of Copyrights in accordance with subparagraph (B).

''(B) DESIGNATION OF MECHANICAL LICENSING COLLECTIVE.—

''(i) INITIAL DESIGNATION.—The Register of Copyrights shall initially designate the mechanical licensing collective within 9 months after the enactment date as follows:

''(I) Within 90 calendar days after the enactment date, the Register shall publish notice in the Federal Register soliciting information to assist in identifying the appropriate entity to serve as the mechanical licensing collective, including the name and affiliation of each member of the board of directors described under subparagraph (D)(i) and each committee established pursuant to clauses (iii), (iv), and (v) of subparagraph (D).

''(II) After reviewing the information requested under subclause (I) and making a designation, the Register shall publish notice in the Federal Register setting forth the identity of and contact information for the mechanical licensing collective.

''(ii) PERIODIC REVIEW OF DESIGNATION.—Following the initial designation of the mechanical licensing collective, the Register shall, every 5 years, beginning with the fifth full calendar year to commence after the initial designation, publish notice in the Federal Register in the month of January soliciting information concerning whether the existing designation should be continued, or a different entity meeting the criteria described in clauses (i) through (iii) of subparagraph (A) shall be designated. Following publication of such notice:

''(I) The Register shall, after reviewing the information submitted and conducting additional proceedings as appropriate, publish notice in the Federal Register of a continuing designation or new designation of the mechanical licensing collective, as the case may be, with any new designation to be effective as of the first day of a month that is no less than 6 months and no longer than 9 months after the date of publication of such notice, as specified by the Register.

''(II) If a new entity is designated as a mechanical licensing collective, the Register shall adopt regulations to govern the transfer of licenses, funds, records, data, and administrative responsibilities from the existing mechanical licensing collective to the new entity.

''(iii) CLOSEST ALTERNATIVE DESIGNATION.—If the Register is unable to identify an entity that fulfills each of the qualifications set forth in clauses (i) through (iii) of subparagraph (A), the Register shall designate the entity that most nearly fulfills such qualifications for purposes of carrying out the responsibilities of the mechanical licensing collective.

''(C) AUTHORITIES AND FUNCTIONS.—

''(i) IN GENERAL.—The mechanical licensing collective is authorized to perform the following functions, subject to more particular requirements as described in this subsection:

''(I) Offer and administer blanket licenses, including receipt of notices of license and reports of usage from digital music providers.

''(II) Collect and distribute royalties from digital music providers for covered activities.

''(III) Engage in efforts to identify musical works (and shares of such works) embodied in particular sound recordings, and to identify and locate the copyright owners of such musical works (and shares of such works).

''(IV) Maintain the musical works database and other information relevant to the administration of licensing activities under this section.

''(V) Administer a process by which copyright owners can claim ownership of musical works (and shares of such works), and a process by which royalties for works for which the owner is not identified or located are equitably distributed to known copyright owners.

''(VI) Administer collections of the administrative assessment from digital music providers and significant nonblanket licensees, including receipt of notices of nonblanket activity.

''(VII) Invest in relevant resources, and arrange for services of outside vendors and others, to support its activities.

''(VIII) Engage in legal and other efforts to enforce rights and obligations under this subsection, including by filing bankruptcy proofs of claims for amounts owed under licenses, and acting in coordination with the digital licensee coordinator..

''(IX) Initiate and participate in proceedings before the Copyright Royalty Judges to establish the administrative assessment under this subsection.

''(X) Initiate and participate in proceedings before the Copyright Office with respect to activities under this subsection.

''(XI) Gather and provide documentation for use in proceedings before the Copyright Royalty Judges to set rates and terms under this section.

''(XII) Maintain records of its activities and engage in and respond to audits described under this subsection.

''(XIII) Engage in such other activities as may be necessary or appropriate to fulfill its responsibilities under this subsection.

''(ii) ADDITIONAL ADMINISTRATIVE ACTIVITIES.—Subject to paragraph (11)(C) and clause (iii), the mechanical licensing collective may also administer, or assist in administering, voluntary licenses issued by or individual download licenses obtained from copyright owners for uses of musical works, for which the mechanical licensing collective shall charge reasonable fees for such services.

''(iii) RESTRICTION CONCERNING PUBLIC PERFORMANCE RIGHTS.—The mechanical licensing collective may, pursuant to clause (ii), provide administration services with respect to voluntary licenses that include the right of public performance in musical works, but may not itself negotiate or grant licenses for the right of public performance in musical works, and may not be the exclusive or nonexclusive assignee or grantee of the right of public performance in musical works.

''(iv) RESTRICTION ON LOBBYING.—The mechanical licensing collective may not engage in government lobbying activities, but may engage in the activities described in subclauses (IX), (X), and (XI) of clause (i).

''(D) GOVERNANCE.—

''(i) BOARD OF DIRECTORS.—The mechanical licensing collective shall have a board of directors consisting of 14 voting members and 3 nonvoting members, as follows:

''(I) Ten voting members shall be representatives of music publishers to which songwriters have assigned exclusive rights of reproduction and distribution of musical works with respect to covered activities and no such music publisher member may be owned by, or under common control with, any other board member.

''(II) Four voting members shall be professional songwriters who have retained and exercise exclusive rights of reproduction and distribution with respect to covered activities with respect to musical works they have authored.

''(III) One nonvoting member shall be a representative of the nonprofit trade association of music publishers that represents the greatest percentage of the licensor market for uses of musical works in covered activities, as measured over the preceding 3 full calendar years.

''(IV) One nonvoting member shall be a representative of the digital licensee coordinator, provided that a digital licensee coordinator has been designated pursuant to paragraph (5)(B). Otherwise, the nonvoting member shall be the nonprofit trade association of digital licensees that represents the greatest percentage of the licensee market for uses of musical works in covered activities, as measured over the preceding 3 full calendar years.

''(V) One nonvoting member shall be a representative of a nationally recognized nonprofit trade association whose primary mission is advocacy on behalf of songwriters in the United States.

''(ii) BOARD MEETINGS.—The board of directors shall meet no less than 2 times per year and discuss matters pertinent to the operations, including the mechanical licensing collective budget.

''(iii) OPERATIONS ADVISORY COMMITTEE.—The board of directors of the mechanical licensing collective shall establish an operations advisory committee consisting of no fewer than 6 members to make recommendations to the board of directors concerning the operations of the mechanical licensing collective, including the efficient investment in and deployment of information technology and data resources. Such committee shall have an equal number of members of the committee who are—

''(I) musical work copyright owners who are appointed by the board of directors of the mechanical licensing collective; and

''(II) representatives of digital music providers who are appointed by the digital licensee coordinator.

''(iv) UNCLAIMED ROYALTIES OVERSIGHT COMMITTEE.—The board of directors of the mechanical licensing collective shall establish and appoint an unclaimed royalties oversight committee consisting of 10 members, 5 of which shall be musical work copyright owners and 5 of which shall be professional songwriters whose works are used in covered activities.

''(v) DISPUTE RESOLUTION COMMITTEE.—The board of directors of the mechanical licensing collective shall establish and appoint a dispute resolution committee consisting of no fewer than 6 members, which committee shall include an equal number of representatives of musical work copyright owners and professional songwriters.

''(vi) MECHANICAL LICENSING COLLECTIVE ANNUAL REPORT.—Not later than June 30 of each year commencing after the license availability date, the mechanical licensing collective shall post, and make available online for a period of at least 3 years, an annual report that sets forth how the collective operates, how royalties are collected and distributed, and the collective total costs for the preceding calendar year. At the time of posting, a copy of the report shall be provided to the Register of Copyrights.

''(E) MUSICAL WORKS DATABASE.—

''(i) ESTABLISHMENT AND MAINTENANCE OF DATABASE.—The mechanical licensing collective shall establish and maintain a database containing information relating to musical works (and shares of such works) and, to the extent known, the identity and location of the copyright owners of such works (and shares thereof) and the sound recordings in which the musical works are embodied. In furtherance of maintaining such database, the mechanical licensing collective shall engage in efforts to identify the musical works embodied in particular sound recordings, as well as to identify and locate the copyright owners of such works (and shares thereof), and update such data as appropriate.

''(ii) MATCHED WORKS.—With respect to musical works (and shares thereof) that have been matched to copyright owners, the musical works database shall include—

''(I) the title of the musical work;

''(II) the copyright owner of the work (or share thereof), and such owner's ownership percentage;

''(III) contact information for such copyright owner;

''(IV) to the extent reasonably available to the mechanical licensing collective—

''(aa) the international standard musical work code for the work; and

''(bb) identifying information for sound recordings in which the musical work is embodied, including the name of the sound recording, featured artist, sound recording copyright owner, producer, international standard recording code, and other information commonly used to assist in associating sound recordings with musical works; and

''(V) such other information as the Register of Copyrights may prescribe by regulation.

''(iii) UNMATCHED WORKS.—With respect to unmatched musical works (and shares of works) in the database, the musical works database shall include—

''(I) to the extent reasonably available to the mechanical licensing collective—

''(aa) the title of the musical work;

''(bb) the ownership percentage for which an owner has not been identified;

''(cc) if a copyright owner has been identified but not located, the identity of such owner and such owner's ownership percentage;

''(dd) identifying information for sound recordings in which the work is embodied, including sound recording name, featured artist, sound recording copyright owner, producer, international standard recording code, and other information commonly used to assist in associating sound recordings with musical works; and

''(ee) any additional information reported to the mechanical licensing collective that may assist in identifying the work; and

''(II) such other information relating to the identity and ownership of musical works (and shares of such works) as the Register of Copyrights may prescribe by regulation.

''(iv) SOUND RECORDING INFORMATION.—Each musical work copyright owner with any musical work listed in the musical works database shall engage in commercially reasonable efforts to deliver to the mechanical licensing collective, including for use in the musical works database, to the extent such information is not then available in the database, information regarding the names of the sound recordings in which that copyright owner's musical works (or shares thereof) are embodied, to the extent practicable.

''(v) ACCESSIBILITY OF DATABASE.—The musical works database shall be made available to members of the public in a searchable, online format, free of charge. The mechanical licensing collective shall make such database available in a bulk, machine-readable format, through a widely available software application, to the following entities:

''(I) Digital music providers operating under the authority of valid notices of license, free of charge.

''(II) Significant nonblanket licensees in compliance with their obligations under paragraph (6), free of charge.

''(III) Authorized vendors of the entities described in subclauses (I) and (II), free of charge.

''(IV) The Register of Copyrights, free of charge (but the Register shall not treat such database or any information therein as a Government record).

''(V) Any member of the public, for a fee not to exceed the marginal cost to the mechanical licensing collective of providing the database to such person.

''(vi) ADDITIONAL REQUIREMENTS.—The Register of Copyrights shall establish requirements by regulations to ensure the usability, interoperability, and usage restrictions of the musical works database.

''(F) NOTICES OF LICENSE AND NONBLANKET ACTIVITY.—

''(i) NOTICES OF LICENSES.—The mechanical licensing collective shall receive, review, and confirm or reject notices of license from digital music providers, as provided in paragraph (2)(A). The collective shall maintain a current, publicly accessible list of blanket licenses that includes contact information for the licensees and the effective dates of such licenses.

''(ii) NOTICES OF NONBLANKET ACTIVITY.—The mechanical licensing collective shall receive notices of nonblanket activity from significant nonblanket licensees, as provided in paragraph (6)(A). The collective shall maintain a current, publicly accessible list of notices of nonblanket activity that includes contact information for significant nonblanket licensees and the dates of receipt of such notices.

''(G) COLLECTION AND DISTRIBUTION OF ROYALTIES.—

''(i) IN GENERAL.—Upon receiving reports of usage and payments of royalties from digital music providers for covered activities, the mechanical licensing collective shall—

''(I) engage in efforts to—

''(aa) identify the musical works embodied in sound recordings reflected in such reports, and the copyright owners of such musical works (and shares thereof);

''(bb) confirm uses of musical works subject to voluntary licenses and individual download licenses, and the corresponding pro rata amounts to be deducted from royalties that would otherwise be due under the blanket license; and

''(cc) confirm proper payment of royalties due;

''(II) distribute royalties to copyright owners in accordance with the usage and other information contained in such reports, as well as the ownership and other information contained in the records of the collective; and

''(III) deposit into an interest-bearing account, as provided in subparagraph (H)(ii), royalties that cannot be distributed due to—

''(aa) an inability to identify or locate a copyright owner of a musical work (or share thereof); or

''(bb) a pending dispute before the dispute resolution committee of the mechanical licensing collective.

''(ii) OTHER COLLECTION EFFORTS.—Any royalties recovered by the mechanical licensing collective as a result of efforts to enforce rights or obligations under a blanket license, including through a bankruptcy proceeding or other legal action, shall be distributed to copyright owners based on available usage information and in accordance with the procedures described in subclauses (I) and (II) of clause (i), on a pro rata basis in proportion to the overall percentage recovery of the total royalties owed, with any pro rata share of royalties that cannot be distributed deposited in an interest-bearing account as provided in subparagraph (H)(ii).

''(H) HOLDING OF ACCRUED ROYALTIES.—

''(i) HOLDING PERIOD.—The mechanical licensing collective shall hold accrued royalties associated with particular musical works (and shares of works) that remain unmatched for a period of at least 3 years after the date on which the funds were received by the mechanical licensing collective, or at least 3 years after the date on which they were accrued by a digital music provider that subsequently transferred such funds to the mechanical licensing collective pursuant to paragraph (10)(B), whichever period expires sooner.

''(ii) INTEREST-BEARING ACCOUNT.—Accrued royalties for unmatched works (and shares thereof) shall be maintained by the mechanical licensing collective in an interest-bearing account that earns monthly interest at the Federal, short-term rate, such interest to accrue for the benefit of copyright owners entitled to payment of such accrued royalties.

''(I) MUSICAL WORKS CLAIMING PROCESS.—The mechanical licensing collective shall publicize the existence of accrued royalties for unmatched musical works (and shares of such works) within 6 months of receiving a transfer of accrued royalties for such works by publicly listing the works and the procedures by which copyright owners may identify themselves and provide ownership, contact, and other relevant information to the mechanical licensing collective in order to receive payment of accrued royalties. When a copyright owner of an unmatched work (or share of a work) has been identified and located in accordance with the procedures of the mechanical licensing collective, the collective shall—

''(i) update the musical works database and its other records accordingly; and

''(ii) provided that accrued royalties for the musical work (or share thereof) have not yet been included in a distribution pursuant to subparagraph (J)(i), pay such accrued royalties and a proportionate amount of accrued interest associated with that work (or share thereof) to the copyright owner, accompanied by a cumulative statement of account reflecting usage of such work and accrued royalties based on information provided by digital music providers to the mechanical licensing collective.

''(J) DISTRIBUTION OF UNCLAIMED ACCRUED ROYALTIES.—

''(i) DISTRIBUTION PROCEDURES.—After the expiration of the prescribed holding period for accrued royalties provided in paragraph (H)(i), the mechanical licensing collective shall distribute such accrued royalties, along with a proportionate share of accrued interest, to copyright owners identified in the records of the collective, subject to the following requirements, and in accordance with the policies and procedures established under clause (ii):

''(I) The first such distribution shall occur on or after July 1 of the first full calendar year to commence after the license availability date, with at least one such distribution to take place during each calendar year thereafter.

''(II) Copyright owners' payment shares for unclaimed accrued royalties for particular reporting periods shall be determined in a transparent and equitable manner based on data indicating the relative market shares of such copyright owners as reflected by royalty payments made by digital music providers for covered activities for the periods in question, including, in addition to royalty payments made to the mechanical licensing collective, royalty payments made to copyright owners under voluntary licenses and individual download licenses for covered activities, to the extent such information is available to the mechanical licensing collective. In furtherance of the determination of equitable market shares under this subparagraph—

''(aa) the mechanical licensing collective may require copyright owners seeking distributions of unclaimed accrued royalties to provide, or direct the provision of, information concerning royalties received under voluntary licenses and individual download licenses for covered activities, and

''(bb) the mechanical licensing collective shall take appropriate steps to safeguard the confidentiality and security of financial and other sensitive data used to compute market shares in accordance with the confidentiality provisions prescribed by the Register of Copyrights under paragraph (12)(C).

''(ii) ESTABLISHMENT OF DISTRIBUTION POLICIES.—The unclaimed royalties oversight committee established under paragraph (3)(D)(iv) shall establish policies and procedures for the distribution of unclaimed accrued royalties and accrued interest in accordance with this subparagraph, including the provision of usage data to copyright owners to allocate payments and credits to songwriters pursuant to clause (iv), subject to the approval of the board of directors of the mechanical licensing collective.

''(iii) ADVANCE NOTICE OF DISTRIBUTIONS.—The mechanical licensing collective shall publicize a pending distribution of unclaimed accrued royalties and accrued interest at least 90 calendar days in advance of such distribution.

''(iv) SONGWRITER PAYMENTS.—Copyright owners that receive a distribution of unclaimed accrued royalties and accrued interest shall pay or credit a portion to songwriters (or the authorized agents of songwriters) on whose behalf the copyright owners license or administer musical works for covered activities, in accordance with applicable contractual terms, but notwithstanding any agreement to the contrary—

''(I) such payments and credits to songwriters shall be allocated in proportion to reported usage of individual musical works by digital music providers during the reporting periods covered by the distribution from the mechanical licensing collective; and

''(II) in no case shall the payment or credit to an individual songwriter be less than 50 percent of the payment received by the copyright owner attributable to usage of musical works (or shares of works) of that songwriter.

''(K) DISPUTE RESOLUTION.—The dispute resolution committee established under paragraph (3)(D)(v) shall address and resolve in a timely and equitable manner disputes among copyright owners relating to ownership interests in musical works licensed under this section and allocation and distribution of royalties by the mechanical licensing collective, according to a process approved by the board of directors of the mechanical licensing collective. Such process—

''(i) shall include a mechanism to hold disputed funds in accordance with the requirements described in subparagraph (H)(ii) pending resolution of the dispute; and

''(ii) except as provided in paragraph (11)(D), shall not affect any legal or equitable rights or remedies available to any copyright owner or songwriter concerning ownership of, and entitlement to royalties for, a musical work.

''(L) VERIFICATION OF PAYMENTS BY MECHANICAL LICENSING COLLECTIVE.—

''(i) VERIFICATION PROCESS.—A copyright owner entitled to receive payments of royalties for covered activities from the mechanical licensing collective may, individually or with other copyright owners, conduct an audit of the mechanical licensing collective to verify the accuracy of royalty payments by the mechanical licensing collective to such copyright owner, as follows:

''(I) A copyright owner may audit the mechanical licensing collective only once in a year for any or all of the prior 3 calendar

years, and may not audit records for any calendar year more than once.

''(II) The audit shall be conducted by a qualified auditor, who shall perform the audit during the ordinary course of business by examining the books, records, and data of the mechanical licensing collective, according to generally accepted auditing standards and subject to applicable confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C).

''(III) The mechanical licensing collective shall make such books, records, and data available to the qualified auditor and respond to reasonable requests for relevant information, and shall use commercially reasonable efforts to facilitate access to relevant information maintained by third parties.

''(IV) To commence the audit, any copyright owner shall file with the Copyright Office a notice of intent to conduct an audit of the mechanical licensing collective, identifying the period of time to be audited, and shall simultaneously deliver a copy of such notice to the mechanical licensing collective. The Register of Copyrights shall cause the notice of audit to be published in the Federal Register within 45 calendar days after receipt.

''(V) The qualified auditor shall determine the accuracy of royalty payments, including whether an underpayment or overpayment of royalties was made by the mechanical licensing collective to each auditing copyright owner, but before providing a final audit report to any such copyright owner, the qualified auditor shall provide a tentative draft of the report to the mechanical licensing collective and allow the mechanical licensing collective a reasonable opportunity to respond to the findings, including by clarifying issues and correcting factual errors.

''(VI) The auditing copyright owner or owners shall bear the cost of the audit. In case of an underpayment to any copyright owner, the mechanical licensing collective shall pay the amounts of any such underpayment to such auditing copyright owner, as appropriate. In case of an overpayment by the mechanical licensing collective, the mechanical licensing collective may debit the account of the auditing copyright owner or owners for such overpaid amounts, or such owner(s) shall refund overpaid amounts to the mechanical licensing collective, as appropriate.

''(ii) ALTERNATIVE VERIFICATION PROCEDURES.—Nothing in this subparagraph shall preclude a copyright owner and the mechanical licensing collective from agreeing to audit procedures different from those described herein, but a notice of the audit shall be provided to and published by the Copyright Office as described in clause (i)(IV).

''(M) RECORDS OF MECHANICAL LICENSING COLLECTIVE.—

''(i) RECORDS MAINTENANCE.—The mechanical licensing collective shall ensure that all material records of its operations, including those relating to notices of license, the administration of its claims process, reports of usage, royalty payments, receipt and maintenance of accrued royalties, royalty distribution processes, and legal matters, are preserved and maintained in a secure and reliable manner, with appropriate commercially reasonable safeguards against unauthorized access, copying, and disclosure, and subject to the confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C) for a period of no less than 7 years after the date of creation or receipt, whichever occurs later.

''(ii) RECORDS ACCESS.—The mechanical licensing collective shall provide prompt access to electronic and other records pertaining to the administration of a copyright owner's musical works upon reasonable written request of such owner or the owner's authorized representative.

''(4) TERMS AND CONDITIONS OF BLANKET LICENSE.—A blanket license is subject to, and conditioned upon, the following requirements:

''(A) ROYALTY REPORTING AND PAYMENTS.—

''(i) MONTHLY REPORTS AND PAYMENT.—A digital music provider shall report and pay royalties to the mechanical licensing collective under the blanket license on a monthly basis in accordance with clause (ii) and subsection (c)(2)(I), but the monthly reporting shall be due 45 calendar days, rather than 20 calendar days, after the end of the monthly reporting period.

''(ii) DATA TO BE REPORTED.—In reporting usage of musical works to the mechanical licensing collective, a digital music provider shall provide usage data for musical works used under the blanket license and usage data for musical works used in covered activities under voluntary licenses and individual download licenses. In the report of usage, the digital music provider shall—

''(I) with respect to each sound recording embodying a musical work—

''(aa) provide identifying information for the sound recording, including sound recording name, featured artist and, to the extent acquired by the digital music provider in connection with its use of sound recordings of musical works to engage in covered activities, including pursuant to subparagraph (B), producer, international standard recording code, and other information commonly used in the industry to identify sound recordings and match them to the musical works the sound recordings embody;

''(bb) to the extent acquired by the digital music provider in the metadata in connection with its use of sound recordings of musical works to engage in covered activities, including pursuant to subparagraph (B), provide information concerning authorship and ownership of the applicable rights in the musical work embodied in the sound recording (including each songwriter, publisher name, and respective ownership share) and the international standard musical work code; and

''(cc) provide the number of digital phonorecord deliveries of the sound recording, including limited downloads and interactive streams;

''(II) identify and provide contact information for all musical work copyright owners for works embodied in sound recordings as to which a voluntary license, rather than the blanket license, is in effect with respect to the uses being reported; and

''(III) provide such other information as the Register of Copyrights shall require by regulation.

''(iii) FORMAT AND MAINTENANCE OF REPORTS.—Reports of usage provided by digital music providers to the mechanical licensing collective shall be in a machine-readable format that is compatible with the information technology systems of the mechanical licensing collective and meets the requirements of regulations adopted by the Register of Copyrights. The Register shall also adopt regulations setting forth requirements under which records of use shall be maintained and made available to the mechanical licensing collective by digital music providers engaged in covered activities under a blanket license.

''(iv) ADOPTION OF REGULATIONS.—The Register shall adopt regulations—

''(I) setting forth requirements under which records of use shall be maintained and made available to the mechanical licensing collective by digital music providers engaged in covered activities under a blanket license; and

''(II) regarding adjustments to reports of usage by digital music providers, including mechanisms to account for overpayment and underpayment of royalties in prior periods.

''(B) COLLECTION OF SOUND RECORDING INFORMATION.—A digital music provider shall engage in good-faith, commercially reasonable efforts to obtain from copyright owners of sound recordings made available through the service of such digital music provider—

''(i) sound recording copyright owners, producers, international standard recording codes, and other information commonly used in the industry to identify sound recordings and match them to the musical works the sound recordings embody; and

''(ii) information concerning the authorship and ownership of musical works, including songwriters, publisher names, ownership shares, and international standard musical work codes.

''(C) PAYMENT OF ADMINISTRATIVE ASSESSMENT.—A digital music provider and any significant nonblanket licensee shall pay the administrative assessment established under paragraph (7)(D) in accordance with this subsection and applicable regulations.

''(D) VERIFICATION OF PAYMENTS BY DIGITAL MUSIC PROVIDERS.—

''(i) VERIFICATION PROCESS.—The mechanical licensing collective may conduct an audit of a digital music provider operating under the blanket license to verify the accuracy of royalty payments by the digital music provider to the mechanical licensing collective as follows:

''(I) The mechanical licensing collective may commence an audit of a digital music provider no more than once in any 3-calendar-year period to cover a verification period of no more than the 3 full calendar years preceding the date of commencement of the audit, and such audit may not audit records for any such 3-year verification period more than once.

''(II) The audit shall be conducted by a qualified auditor, who shall perform the audit during the ordinary course of business by examining the books, records, and data of the digital music provider, according to generally accepted auditing standards and subject to applicable confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C).

''(III) The digital music provider shall make such books, records, and data available to the qualified auditor and respond to reasonable requests for relevant information, and shall use commercially reasonable efforts to provide access to relevant information maintained with respect to a digital music provider by third parties.

''(IV) To commence the audit, the mechanical licensing collective shall file with the Copyright Office a notice of intent to conduct an audit of the digital music provider, identifying the period of time to be audited, and shall simultaneously deliver a copy of such notice to the digital music provider. The Register of Copyrights shall cause the notice of audit to be published in the Federal Register within 45 calendar days after receipt.

''(V) The qualified auditor shall determine the accuracy of royalty payments, including whether an underpayment or overpayment of royalties was made by the digital music provider to the mechanical licensing collective, but before providing a final audit report to the mechanical licensing collective, the qualified auditor shall provide a tentative draft of the report to the digital music provider and allow the digital music provider a reasonable opportunity to respond to the findings, including by clarifying issues and correcting factual errors.

''(VI) The mechanical licensing collective shall pay the cost of the audit, unless the

qualified auditor determines that there was an underpayment by the digital music provider of 10 percent or more, in which case the digital music provider shall bear the reasonable costs of the audit, in addition to paying the amount of any underpayment to the mechanical licensing collective. In case of an overpayment by the digital music provider, the mechanical licensing collective shall provide a credit to the account of the digital music provider.

''(VII) A digital music provider may not assert section 507 or any other Federal or State statute of limitations, doctrine of laches or estoppel, or similar provision as a defense to a legal action arising from an audit under this subparagraph if such legal action is commenced no more than 6 years after the commencement of the audit that is the basis for such action.

''(ii) ALTERNATIVE VERIFICATION PROCEDURES.—Nothing in this subparagraph shall preclude the mechanical licensing collective and a digital music provider from agreeing to audit procedures different from those described herein, but a notice of the audit shall be provided to and published by the Copyright Office as described in clause (i)(IV).

''(E) DEFAULT UNDER BLANKET LICENSE.—

''(i) CONDITIONS OF DEFAULT.—A digital music provider shall be in default under a blanket license if the digital music provider—

''(I) fails to provide one or more monthly reports of usage to the mechanical licensing collective when due;

''(II) fails to make a monthly royalty or late fee payment to the mechanical licensing collective when due, in all or material part;

''(III) provides one or more monthly reports of usage to the mechanical licensing collective that, on the whole, is or are materially deficient as a result of inaccurate, missing, or unreadable data, where the correct data was available to the digital music provider and required to be reported under this section and applicable regulations;

''(IV) fails to pay the administrative assessment as required under this subsection and applicable regulations; or

''(V) after being provided written notice by the mechanical licensing collective, refuses to comply with any other material term or condition of the blanket license under this section for a period of 60 calendar days or longer.

''(ii) NOTICE OF DEFAULT AND TERMINATION.—In case of a default by a digital music provider, the mechanical licensing collective may proceed to terminate the blanket license of the digital music provider as follows:

''(I) The mechanical licensing collective shall provide written notice to the digital music provider describing with reasonable particularity the default and advising that unless such default is cured within 60 calendar days after the date of the notice, the blanket license will automatically terminate at the end of that period.

''(II) If the digital music provider fails to remedy the default within the 60-day period referenced in subclause (I), the license shall terminate without any further action on the part of the mechanical licensing collective. Such termination renders the making of all digital phonorecord deliveries of all musical works (and shares thereof) covered by the blanket license for which the royalty or administrative assessment has not been paid actionable as acts of infringement under section 501 and subject to the remedies provided by sections 502 through 506.

''(iii) NOTICE TO COPYRIGHT OWNERS.—The mechanical licensing collective shall provide written notice of any termination under this subparagraph to copyright owners of affected works.

''(iv) REVIEW BY FEDERAL DISTRICT COURT.—A digital music provider that believes a blanket license was improperly terminated by the mechanical licensing collective may seek review of such termination in Federal district court. The district court shall determine the matter de novo based on the record before the mechanical licensing collective and any additional supporting evidence presented by the parties.

''(5) DIGITAL LICENSEE COORDINATOR.—

''(A) IN GENERAL.—The digital licensee coordinator shall be a single entity that—

''(i) is a nonprofit, not owned by any other entity, that is created to carry out responsibilities under this subsection;

''(ii) is endorsed by and enjoys substantial support from digital music providers and significant nonblanket licensees that together represent the greatest percentage of the licensee market for uses of musical works in covered activities, as measured over the preceding 3 calendar years;

''(iii) is able to demonstrate that it has, or will have prior to the license availability date, the administrative capabilities to perform the required functions of the digital licensee coordinator under this subsection; and

''(iv) has been designated by the Register of Copyrights in accordance with subparagraph (B).

''(B) DESIGNATION OF DIGITAL LICENSEE COORDINATOR.—

''(i) INITIAL DESIGNATION.—The Register of Copyrights shall initially designate the digital licensee coordinator within 9 months after the enactment date, in accordance with the same procedure described for designation of the mechanical licensing collective in paragraph (3)(B)(i).

''(ii) PERIODIC REVIEW OF DESIGNATION.—Following the initial designation of the digital licensee coordinator, the Register shall, every 5 years, beginning with the fifth full calendar year to commence after the initial designation, determine whether the existing designation should be continued, or a different entity meeting the criteria described in clauses (i) through (iii) of subparagraph (A) should be designated, in accordance with the same procedure described for the mechanical licensing collective in paragraph (3)(B)(ii).

''(iii) INABILITY TO DESIGNATE.—If the Register is unable to identify an entity that fulfills each of the qualifications described in clauses (i) through (iii) of subparagraph (A) to serve as the digital licensee coordinator, the Register may decline to designate a digital licensee coordinator. The Register's determination not to designate a digital licensee coordinator shall not negate or otherwise affect any provision of this subsection except to the limited extent that a provision references the digital licensee coordinator. In such case, the reference to the digital licensee coordinator shall be without effect unless and until a new digital licensee coordinator is designated.

''(C) AUTHORITIES AND FUNCTIONS.—

''(i) IN GENERAL.—The digital licensee coordinator is authorized to perform the following functions, subject to more particular requirements as described in this subsection:

''(I) Establish a governance structure, criteria for membership, and any dues to be paid by its members.

''(II) Engage in efforts to enforce notice and payment obligations with respect to the administrative assessment, including by receiving information from and coordinating with the mechanical licensing collective.

''(III) Initiate and participate in proceedings before the Copyright Royalty Judges to establish the administrative assessment under this subsection.

''(IV) Initiate and participate in proceedings before the Copyright Office with respect to activities under this subsection.

''(V) Gather and provide documentation for use in proceedings before the Copyright Royalty Judges to set rates and terms under this section.

''(VI) Maintain records of its activities.

''(VII) Engage in such other activities as may be necessary or appropriate to fulfill its responsibilities under this subsection.

''(ii) RESTRICTION ON LOBBYING.—The digital licensee coordinator may not engage in government lobbying activities, but may engage in the activities described in subclauses (III), (IV), and (V) of clause (i).

''(6) REQUIREMENTS FOR SIGNIFICANT NONBLANKET LICENSEES.—

''(A) IN GENERAL.—

''(i) NOTICE OF ACTIVITY.—Not later than 45 calendar days after the license availability date, or 45 calendar days after the end of the first full calendar month in which an entity initially qualifies as a significant nonblanket licensee, whichever occurs later, a significant nonblanket licensee shall submit a notice of nonblanket activity to the mechanical licensing collective. The notice of nonblanket activity shall comply in form and substance with requirements that the Register of Copyrights shall establish by regulation, and a copy shall be made available to the digital licensee coordinator.

''(ii) REPORTING AND PAYMENT OBLIGATIONS.—The notice of nonblanket activity submitted to the mechanical licensing collective shall be accompanied by a report of usage that contains the information described in paragraph (4)(A)(ii), as well as any payment of the administrative assessment required under this subsection and applicable regulations. Thereafter, subject to clause (iii), a significant nonblanket licensee shall continue to provide monthly reports of usage, accompanied by any required payment of the administrative assessment, to the mechanical licensing collective. Such reports and payments shall be submitted not later than 45 calendar days after the end of the calendar month being reported.

''(iii) DISCONTINUATION OF OBLIGATIONS.—An entity that has submitted a notice of nonblanket activity to the mechanical licensing collective that has ceased to qualify as a significant nonblanket licensee may so notify the collective in writing. In such case, as of the calendar month in which such notice is provided, such entity shall no longer be required to provide reports of usage or pay the administrative assessment, but if such entity later qualifies as a significant nonblanket licensee, such entity shall again be required to comply with clauses (i) and (ii).

''(B) REPORTING BY MECHANICAL LICENSING COLLECTIVE TO DIGITAL LICENSEE COORDINATOR.—

''(i) MONTHLY REPORTS OF NONCOMPLIANT LICENSEES.—The mechanical licensing collective shall provide monthly reports to the digital licensee coordinator setting forth any significant nonblanket licensees of which the collective is aware that have failed to comply with subparagraph (A).

''(ii) TREATMENT OF CONFIDENTIAL INFORMATION.—The mechanical licensing collective and digital licensee coordinator shall take appropriate steps to safeguard the confidentiality and security of financial and other sensitive data shared under this subparagraph, in accordance with the confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C).

''(C) LEGAL ENFORCEMENT EFFORTS.—

''(i) FEDERAL COURT ACTION.—Should the mechanical licensing collective or digital licensee coordinator become aware that a significant nonblanket licensee has failed to

comply with subparagraph (A), either may commence an action in Federal district court for damages and injunctive relief. If the significant nonblanket licensee is found liable, the court shall, absent a finding of excusable neglect, award damages in an amount equal to three times the total amount of the unpaid administrative assessment and, notwithstanding anything to the contrary in section 505, reasonable attorney's fees and costs, as well as such other relief as the court deems appropriate. In all other cases, the court shall award relief as appropriate. Any recovery of damages shall be payable to the mechanical licensing collective as an offset to the collective total costs.

''(ii) STATUTE OF LIMITATIONS FOR ENFORCEMENT ACTION.—Any action described in this subparagraph shall be commenced within the time period described in section 507(b).

''(iii) OTHER RIGHTS AND REMEDIES PRESERVED.—The ability of the mechanical licensing collective or digital licensee coordinator to bring an action under this subparagraph shall in no way alter, limit or negate any other right or remedy that may be available to any party at law or in equity.

''(7) FUNDING OF MECHANICAL LICENSING COLLECTIVE.—

''(A) IN GENERAL.—The collective total costs shall be funded by—

''(i) an administrative assessment, as such assessment is established by the Copyright Royalty Judges pursuant to subparagraph (D) from time to time, to be paid by—

''(I) digital music providers that are engaged, in all or in part, in covered activities pursuant to a blanket license; and

''(II) significant nonblanket licensees; and

''(ii) voluntary contributions from digital music providers and significant nonblanket licensees as may be agreed with copyright owners.

''(B) VOLUNTARY CONTRIBUTIONS.—

''(i) AGREEMENTS CONCERNING CONTRIBUTIONS.—Except as provided in clause (ii), voluntary contributions by digital music providers and significant nonblanket licensees shall be determined by private negotiation and agreement, and the following conditions apply:

''(I) The date and amount of each voluntary contribution to the mechanical licensing collective shall be documented in a writing signed by an authorized agent of the mechanical licensing collective and the contributing party.

''(II) Such agreement shall be made available as required in proceedings before the Copyright Royalty Judges to establish or adjust the administrative assessment in accordance with applicable statutory and regulatory provisions and rulings of the Copyright Royalty Judges.

''(ii) TREATMENT OF CONTRIBUTIONS.—Each such voluntary contribution shall be treated for purposes of an administrative assessment proceeding as an offset to the collective total costs that would otherwise be recovered through the administrative assessment. Any allocation or reallocation of voluntary contributions between or among individual digital music providers or significant nonblanket licensees shall be a matter of private negotiation and agreement among such parties and outside the scope of the administrative assessment proceeding.

''(C) INTERIM APPLICATION OF ACCRUED ROYALTIES.—In the event that the administrative assessment, together with any funding from voluntary contributions as provided in subparagraphs (A) and (B), is inadequate to cover current collective total costs, the collective, with approval of its board of directors, may apply unclaimed accrued royalties on an interim basis to defray such costs, subject to future reimbursement of such royalties from future collections of the assessment.

''(D) DETERMINATION OF ADMINISTRATIVE ASSESSMENT.—

''(i) ADMINISTRATIVE ASSESSMENT TO COVER COLLECTIVE TOTAL COSTS.—The administrative assessment shall be used solely and exclusively to fund the collective total costs.

''(ii) SEPARATE PROCEEDING BEFORE COPYRIGHT ROYALTY JUDGES.—The amount and terms of the administrative assessment shall be determined and established in a separate and independent proceeding before the Copyright Royalty Judges, according to the procedures described in clauses (iii) and (iv). The administrative assessment determined in such proceeding shall—

''(I) be wholly independent of royalty rates and terms applicable to digital music providers, which shall not be taken into consideration in any manner in establishing the administrative assessment;

''(II) be established by the Copyright Royalty Judges in an amount that is calculated to defray the reasonable collective total costs;

''(III) be assessed based on usage of musical works by digital music providers and significant nonblanket licensees in covered activities under both compulsory and nonblanket licenses;

''(IV) may be in the form of a percentage of royalties payable under this section for usage of musical works in covered activities (regardless of whether a different rate applies under a voluntary license), or any other usage-based metric reasonably calculated to equitably allocate the collective total costs across digital music providers and significant nonblanket licensees engaged in covered activities, but shall include as a component a minimum fee for all digital music providers and significant nonblanket licensees; and

''(V) take into consideration anticipated future collective total costs and collections of the administrative assessment, but also, as applicable—

''(aa) any portion of past actual collective total costs of the mechanical licensing collective not funded by previous collections of the administrative assessment or voluntary contributions because such collections or contributions together were insufficient to fund such costs;

''(bb) any past collections of the administrative assessment and voluntary contributions that exceeded past actual collective total costs, resulting in a surplus; and

''(cc) the amount of any voluntary contributions by digital music providers or significant nonblanket licensees in relevant periods, described in subparagraphs (A) and (B) of paragraph (7).

''(iii) INITIAL ADMINISTRATIVE ASSESSMENT.—The procedure for establishing the initial administrative assessment shall be as follows:

''(I) The Copyright Royalty Judges shall commence a proceeding to establish the initial administrative assessment within 9 months after the enactment date by publishing a notice in the Federal Register seeking petitions to participate.

''(II) The mechanical licensing collective and digital licensee coordinator shall participate in such proceeding, along with any interested copyright owners, digital music providers or significant nonblanket licensees that have notified the Copyright Royalty Judges of their desire to participate.

''(III) The Copyright Royalty Judges shall establish a schedule for submission by the parties of information that may be relevant to establishing the administrative assessment, including actual and anticipated collective total costs of the mechanical licensing collective, actual and anticipated collections from digital music providers and significant nonblanket licensees, and documentation of voluntary contributions, as well as a schedule for further proceedings, which shall include a hearing, as they deem appropriate.

''(IV) The initial administrative assessment shall be determined, and such determination shall be published in the Federal Register by the Copyright Royalty Judges, within 1 year after commencement of the proceeding described in this clause. The determination shall be supported by a written record. The initial administrative assessment shall be effective as of the license availability date, and shall continue in effect unless and until an adjusted administrative assessment is established pursuant to an adjustment proceeding under clause (iii).

''(iv) ADJUSTMENT OF ADMINISTRATIVE ASSESSMENT.—The administrative assessment may be adjusted by the Copyright Royalty Judges periodically, in accordance with the following procedures:

''(I) No earlier than one year after the most recent publication of a determination of the administrative assessment by the Copyright Royalty Judges, the mechanical licensing collective, the digital licensee coordinator, or one or more interested copyright owners, digital music providers, or significant nonblanket licensees, may file a petition with the Copyright Royalty Judges in the month of October to commence a proceeding to adjust the administrative assessment.

''(II) Notice of the commencement of such proceeding shall be published in the Federal Register in the month of November following the filing of any petition, with a schedule of requested information and additional proceedings, as described in clause (iii)(III). The mechanical licensing collective and digital licensee coordinator shall participate in such proceeding, along with any interested copyright owners, digital music providers, or significant nonblanket licensees that have notified the Copyright Royalty Judges of their desire to participate.

''(III) The determination of the adjusted administrative assessment, which shall be supported by a written record, shall be published in the Federal Register during November of the calendar year following the commencement of the proceeding. The adjusted administrative assessment shall take effect January 1 of the year following such publication.

''(v) ADOPTION OF VOLUNTARY AGREEMENTS.—In lieu of reaching their own determination based on evaluation of relevant data, the Copyright Royalty Judges shall approve and adopt a negotiated agreement to establish the amount and terms of the administrative assessment that has been agreed to by the mechanical licensing collective and the digital licensee coordinator (or if none has been designated, interested digital music providers and significant nonblanket licensees representing more than half of the market for uses of musical works in covered activities), but the Copyright Royalty Judges shall have the discretion to reject any such agreement for good cause shown. An administrative assessment adopted under this clause shall apply to all digital music providers and significant nonblanket licensees engaged in covered activities during the period it is in effect.

''(vi) CONTINUING AUTHORITY TO AMEND.—The Copyright Royalty Judges shall retain continuing authority to amend a determination of an administrative assessment to correct technical or clerical errors, or modify the terms of implementation, for good cause, with any such amendment to be published in the Federal Register.

''(vii) APPEAL OF ADMINISTRATIVE ASSESSMENT.—The determination of an administrative assessment by the Copyright Royalty Judges shall be appealable, within 30 calendar days after publication in the Federal Register, to the Court of Appeals for the District of Columbia Circuit by any party that fully participated in the proceeding. The administrative assessment as established by the Copyright Royalty Judges shall remain in effect pending the final outcome of any such appeal, and the mechanical licensing collective, digital licensee coordinator, digital music providers, and significant nonblanket licensees shall implement appropriate financial or other measures within 3 months after any modification of the assessment to reflect and account for such outcome.

''(viii) REGULATIONS.—The Copyright Royalty Judges may adopt regulations to govern the conduct of proceedings under this paragraph.

''(8) ESTABLISHMENT OF RATES AND TERMS UNDER BLANKET LICENSE.—

''(A) RESTRICTIONS ON RATESETTING PARTICIPATION.—Neither the mechanical licensing collective nor the digital licensee coordinator shall be a party to a proceeding described in subsection (c)(1)(E), but either may gather and provide financial and other information for the use of a party to such a proceeding and comply with requests for information as required under applicable statutory and regulatory provisions and rulings of the Copyright Royalty Judges.

''(B) APPLICATION OF LATE FEES.—In any proceeding described in subparagraph (A) in which the Copyright Royalty Judges establish a late fee for late payment of royalties for uses of musical works under this section, such fee shall apply to covered activities under blanket licenses, as follows:

''(i) Late fees for past due royalty payments shall accrue from the due date for payment until payment is received by the mechanical licensing collective.

''(ii) The availability of late fees shall in no way prevent a copyright owner or the mechanical licensing collective from asserting any other rights or remedies to which such copyright owner or the mechanical licensing collective may be entitled under this title.

''(C) INTERIM RATE AGREEMENTS IN GENERAL.—For any covered activity for which no rate or terms have been established by the Copyright Royalty Judges, the mechanical licensing collective and any digital music provider may agree to an interim rate and terms for such activity under the blanket license, and any such rate and terms—

''(i) shall be treated as nonprecedential and not cited or relied upon in any ratesetting proceeding before the Copyright Royalty Judges or any other tribunal; and

''(ii) shall automatically expire upon the establishment of a rate and terms for such covered activity by the Copyright Royalty Judges, under subsection (c)(1)(E).

''(D) ADJUSTMENTS FOR INTERIM RATES.—The rate and terms established by the Copyright Royalty Judges for a covered activity to which an interim rate and terms have been agreed under subparagraph (C) shall supersede the interim rate and terms and apply retroactively to the inception of the activity under the blanket license. In such case, within 3 months after the rate and terms established by the Copyright Royalty Judges become effective—

''(i) if the rate established by the Copyright Royalty Judges exceeds the interim rate, the digital music provider shall pay to the mechanical licensing collective the amount of any underpayment of royalties due; or

''(ii) if the interim rate exceeds the rate established by the Copyright Royalty Judges, the mechanical licensing collective shall credit the account of the digital music provider for the amount of any overpayment of royalties due.

''(9) TRANSITION TO BLANKET LICENSES.—

''(A) SUBSTITUTION OF BLANKET LICENSE.—On the license availability date, a blanket license shall, without any interruption in license authority enjoyed by such digital music provider, be automatically substituted for and supersede any existing compulsory license previously obtained under this section by the digital music provider from a copyright owner to engage in one or more covered activities with respect to a musical work, but the foregoing shall not apply to any authority obtained from a record company pursuant to a compulsory license to make and distribute permanent downloads unless and until such record company terminates such authority in writing to take effect at the end of a monthly reporting period, with a copy to the mechanical licensing collective.

''(B) EXPIRATION OF EXISTING LICENSES.—Except to the extent provided in subparagraph (A), on and after the license availability date, licenses other than individual download licenses obtained under this section for covered activities prior to the license availability date shall no longer continue in effect.

''(C) TREATMENT OF VOLUNTARY LICENSES.—A voluntary license for a covered activity in effect on the license availability date will remain in effect unless and until the voluntary license expires according to the terms of the voluntary license, or the parties agree to amend or terminate the voluntary license. In a case where a voluntary license for a covered activity entered into before the license availability date incorporates the terms of this section by reference, the terms so incorporated (but not the rates) shall be those in effect immediately prior to the license availability date, and those terms shall continue to apply unless and until such voluntary license is terminated or amended, or the parties enter into a new voluntary license.

''(D) FURTHER ACCEPTANCE OF NOTICES FOR COVERED ACTIVITIES BY COPYRIGHT OFFICE.—On and after the enactment date—

''(i) the Copyright Office shall no longer accept notices of intention with respect to covered activities; and

''(ii) previously filed notices of intention will no longer be effective or provide license authority with respect to covered activities, but before the license availability date there shall be no liability under section 501 for the reproduction or distribution of a musical work (or share thereof) in covered activities if a valid notice of intention was filed for such work (or share) before the enactment date.

''(10) PRIOR UNLICENSED USES.—

''(A) LIMITATION ON LIABILITY IN GENERAL.—A copyright owner that commences an action under section 501 on or after January 1, 2018, against a digital music provider for the infringement of the exclusive rights provided by paragraph (1) or (3) of section 106 arising from the unauthorized reproduction or distribution of a musical work by such digital music provider in the course of engaging in covered activities prior to the license availability date, shall, as the copyright owner's sole and exclusive remedy against the digital music provider, be eligible to recover the royalty prescribed under subsection (c)(1)(C) and chapter 8 of this title, from the digital music provider, provided that such digital music provider can demonstrate compliance with the requirements of subparagraph (B), as applicable. In all other cases the limitation on liability under this subparagraph shall not apply.

''(B) REQUIREMENTS FOR LIMITATION ON LIABILITY.—The following requirements shall apply on the enactment date and through the end of the period that expires 90 days after the license availability date to digital music providers seeking to avail themselves of the limitation on liability described in subparagraph (A):

''(i) No later than 30 calendar days after first making a particular sound recording of a musical work available through its service via one or more covered activities, or 30 calendar days after the enactment date, whichever occurs later, a digital music provider shall engage in good-faith, commercially reasonable efforts to identify and locate each copyright owner of such musical work (or share thereof). Such required matching efforts shall include the following:

''(I) Good-faith, commercially reasonable efforts to obtain from the owner of the corresponding sound recording made available through the digital music provider's service the following information:

''(aa) Sound recording name, featured artist, sound recording copyright owner, producer, international standard recording code, and other information commonly used in the industry to identify sound recordings and match them to the musical works they embody.

''(bb) Any available musical work ownership information, including each songwriter and publisher name, percentage ownership share, and international standard musical work code.

''(II) Employment of one or more bulk electronic matching processes that are available to the digital music provider through a third-party vendor on commercially reasonable terms, but a digital music provider may rely on its own bulk electronic matching process if it has capabilities comparable to or better than those available from a third-party vendor on commercially reasonable terms.

''(ii) The required matching efforts shall be repeated by the digital music provider no less than once per month for so long as the copyright owner remains unidentified or has not been located.

''(iii) If the required matching efforts are successful in identifying and locating a copyright owner of a musical work (or share thereof) by the end of the calendar month in which the digital music provider first makes use of the work, the digital music provider shall provide statements of account and pay royalties to such copyright owner in accordance with this section and applicable regulations.

''(iv) If the copyright owner is not identified or located by the end of the calendar month in which the digital music provider first makes use of the work, the digital music provider shall accrue and hold royalties calculated under the applicable statutory rate in accordance with usage of the work, from initial use of the work until the accrued royalties can be paid to the copyright owner or are required to be transferred to the mechanical licensing collective, as follows:

''(I) Accrued royalties shall be maintained by the digital music provider in accordance with generally accepted accounting principles.

''(II) If a copyright owner of an unmatched musical work (or share thereof) is identified and located by or to the digital music provider before the license availability date, the digital music provider shall—

''(aa) within 45 calendar days after the end of the calendar month during which the copyright owner was identified and located, pay the copyright owner all accrued royalties, such payment to be accompanied by a cumulative statement of account that includes all of the information that would have been provided to the copyright owner had

the digital music provider been providing monthly statements of account to the copyright owner from initial use of the work in accordance with this section and applicable regulations, including the requisite certification under subsection (c)(2)(I);

''(bb) beginning with the accounting period following the calendar month in which the copyright owner was identified and located, and for all other accounting periods prior to the license availability date, provide monthly statements of account and pay royalties to the copyright owner as required under this section and applicable regulations; and

''(cc) beginning with the monthly royalty reporting period commencing on the license availability date, report usage and pay royalties for such musical work (or share thereof) for such reporting period and reporting periods thereafter to the mechanical licensing collective, as required under this subsection and applicable regulations.

''(III) If a copyright owner of an unmatched musical work (or share thereof) is not identified and located by the license availability date, the digital music provider shall—

''(aa) within 45 calendar days after the license availability date, transfer all accrued royalties to the mechanical licensing collective, such payment to be accompanied by a cumulative statement of account that includes all of the information that would have been provided to the copyright owner had the digital music provider been serving monthly statements of account on the copyright owner from initial use of the work in accordance with this section and applicable regulations, including the requisite certification under subsection (c)(2)(I), and accompanied by an additional certification by a duly authorized officer of the digital music provider that the digital music provider has fulfilled the requirements of clauses (i) and (ii) of subparagraph (B) but has not been successful in locating or identifying the copyright owner; and

''(bb) beginning with the monthly royalty reporting period commencing on the license availability date, report usage and pay royalties for such musical work (or share thereof) for such period and reporting periods thereafter to the mechanical licensing collective, as required under this subsection and applicable regulations.

''(v) SUSPENSION OF LATE FEES.—A digital music provider that complies with the requirements of this paragraph with respect to unmatched musical works (or shares of works) shall not be liable for or accrue late fees for late payments of royalties for such works until such time as the digital music provider is required to begin paying monthly royalties to the copyright owner or the mechanical licensing collective, as applicable.

''(C) ADJUSTED STATUTE OF LIMITATIONS.—Notwithstanding anything to the contrary in section 507(b), with respect to any claim of infringement of the exclusive rights provided by paragraphs (1) and (3) of section 106 against a digital music provider arising from the unauthorized reproduction or distribution of a musical work by such digital music provider to engage in covered activities that accrued no more than 3 years prior to the license availability date, such action may be commenced within 3 years of the date the claim accrued, or up to 2 years after the license availability date, whichever is later.

''(D) OTHER RIGHTS AND REMEDIES PRESERVED.—Except as expressly provided in this paragraph, nothing in this paragraph shall be construed to alter, limit, or negate any right or remedy of a copyright owner with respect to unauthorized use of a musical work.

''(11) LEGAL PROTECTIONS FOR LICENSING ACTIVITIES.—

''(A) EXEMPTION FOR COMPULSORY LICENSE ACTIVITIES.—The antitrust exemption described in subsection (c)(1)(D) shall apply to negotiations and agreements between and among copyright owners and persons entitled to obtain a compulsory license for covered activities, and common agents acting on behalf of such copyright owners or persons, including with respect to the administrative assessment established under this subsection.

''(B) LIMITATION ON COMMON AGENT EXEMPTION.—Notwithstanding the antitrust exemption provided in subsection (c)(1)(D) and subparagraph (A) (except for the administrative assessment referenced therein and except as provided in paragraph (8)(C)), neither the mechanical licensing collective nor the digital licensee coordinator shall serve as a common agent with respect to the establishment of royalty rates or terms under this section.

''(C) ANTITRUST EXEMPTION FOR ADMINISTRATIVE ACTIVITIES.—Notwithstanding any provision of the antitrust laws, copyright owners and persons entitled to obtain a compulsory license under this section may designate the mechanical licensing collective to administer voluntary licenses for the reproduction or distribution of musical works in covered activities on behalf of such copyright owners and persons, but the following conditions apply:

''(i) Each copyright owner shall establish the royalty rates and material terms of any such voluntary license individually and not in agreement, combination, or concert with any other copyright owner.

''(ii) Each person entitled to obtain a compulsory license under this section shall establish the royalty rates and material terms of any such voluntary license individually and not in agreement, combination, or concert with any other digital music provider.

''(iii) The mechanical licensing collective shall maintain the confidentiality of the voluntary licenses in accordance with the confidentiality provisions prescribed by the Register of Copyrights under paragraph (12)(C).

''(D) LIABILITY FOR GOOD-FAITH ACTIVITIES.—The mechanical licensing collective shall not be liable to any person or entity based on a claim arising from its good-faith administration of policies and procedures adopted and implemented to carry out the responsibilities described in subparagraphs (J) and (K) of paragraph (3), except to the extent of correcting an underpayment or overpayment of royalties as provided in paragraph (3)(L)(i)(VI), but the collective may participate in a legal proceeding as a stakeholder party if the collective is holding funds that are the subject of a dispute between copyright owners. For purposes of this subparagraph, 'good-faith administration' means administration in a manner that is not grossly negligent.

''(E) PREEMPTION OF STATE PROPERTY LAWS.—The holding and distribution of funds by the mechanical licensing collective in accordance with this subsection shall supersede and preempt any State law (including common law) concerning escheatment or abandoned property, or any analogous provision, that might otherwise apply.

''(F) RULE OF CONSTRUCTION.—Except as expressly provided in this subsection, nothing in this subsection shall negate or limit the ability of any person to pursue an action in Federal court against the mechanical licensing collective or any other person based upon a claim arising under this title or other applicable law.

''(12) REGULATIONS.—

''(A) ADOPTION BY REGISTER OF COPYRIGHTS AND COPYRIGHT ROYALTY JUDGES.—The Register of Copyrights may conduct such proceedings and adopt such regulations as may be necessary or appropriate to effectuate the provisions of this subsection, except for regulations concerning proceedings before the Copyright Royalty Judges to establish the administrative assessment, which shall be adopted by the Copyright Royalty Judges.

''(B) JUDICIAL REVIEW OF REGULATIONS.—Except as provided in paragraph (7)(D)(vii), regulations adopted under this subsection shall be subject to judicial review pursuant to chapter 7 of title 5.

''(C) PROTECTION OF CONFIDENTIAL INFORMATION.—The Register of Copyrights shall adopt regulations to provide for the appropriate procedures to ensure that confidential, private, proprietary, or privileged information contained in the records of the mechanical licensing collective and digital licensee coordinator is not improperly disclosed or used, including through any disclosure or use by the board of directors or personnel of either entity, and specifically including the unclaimed royalties oversight committee and the dispute resolution committee of the mechanical licensing collective.

''(13) SAVINGS CLAUSES.—

''(A) LIMITATION ON ACTIVITIES AND RIGHTS COVERED.—This subsection applies solely to uses of musical works subject to licensing under this section. The blanket license shall not be construed to extend or apply to activities other than covered activities or to rights other than the exclusive rights of reproduction and distribution licensed under this section, or serve or act as the basis to extend or expand the compulsory license under this section to activities and rights not covered by this section on the enactment date.

''(B) RIGHTS OF PUBLIC PERFORMANCE NOT AFFECTED.—The rights, protections, and immunities granted under this subsection, the data concerning musical works collected and made available under this subsection, and the definitions described in subsection (e) shall not extend to, limit, or otherwise affect any right of public performance in a musical work.''; and

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

''(e) DEFINITIONS.—As used in this section:

''(1) ACCRUED INTEREST.—The term 'accrued interest' means interest accrued on accrued royalties, as described in subsection (d)(3)(H)(ii).

''(2) ACCRUED ROYALTIES.—The term 'accrued royalties' means royalties accrued for the reproduction or distribution of a musical work (or share thereof) in a covered activity, calculated in accordance with the applicable royalty rate under this section.

''(3) ADMINISTRATIVE ASSESSMENT.—The term 'administrative assessment' means the fee established pursuant to subsection (d)(7)(D).

''(4) AUDIT.—The term 'audit' means a royalty compliance examination to verify the accuracy of royalty payments, or the conduct of such an examination, as applicable.

''(5) BLANKET LICENSE.—The term 'blanket license' means a compulsory license described in subsection (d)(1)(A) to engage in covered activities.

''(6) COLLECTIVE TOTAL COSTS.—The term 'collective total costs'—

''(A) means the total costs of establishing, maintaining, and operating the mechanical licensing collective to fulfill its statutory functions, including—

''(i) startup costs;

''(ii) financing, legal, and insurance costs;

''(iii) investments in information technology, infrastructure, and other long-term resources;

''(iv) outside vendor costs;

''(v) costs of licensing, royalty administration, and enforcement of rights;

''(vi) costs of bad debt; and

''(vii) costs of automated and manual efforts to identify and locate copyright owners of musical works (and shares of such musical works) and match sound recordings to the musical works the sound recordings embody; and

''(B) does not include any added costs incurred by the mechanical licensing collective to provide services under voluntary licenses.

''(7) COVERED ACTIVITY.—The term 'covered activity' means the activity of making a digital phonorecord delivery of a musical work, including in the form of a permanent download, limited download, or interactive stream, where such activity qualified for a compulsory license under this section.

''(8) DIGITAL MUSIC PROVIDER.—The term 'digital music provider' means a person (or persons operating under the authority of that person) that, with respect to a service engaged in covered activities—

''(A) has a direct contractual, subscription, or other economic relationship with end users of the service, or, if no such relationship with end users exists, exercises direct control over the provision of the service to end users;

''(B) is able to fully report on any revenues and consideration generated by the service; and

''(C) is able to fully report on usage of sound recordings of musical works by the service (or procure such reporting).

''(9) DIGITAL LICENSEE COORDINATOR.—The term 'digital licensee coordinator' means the entity most recently designated pursuant to subsection (d)(5).

''(10) DIGITAL PHONORECORD DELIVERY.—The term 'digital phonorecord delivery' means each individual delivery of a phonorecord by digital transmission of a sound recording that results in a specifically identifiable reproduction by or for any transmission recipient of a phonorecord of that sound recording, regardless of whether the digital transmission is also a public performance of the sound recording or any musical work embodied therein, and includes a permanent download, a limited download, or an interactive stream. A digital phonorecord delivery does not result from a real-time, noninteractive subscription transmission of a sound recording where no reproduction of the sound recording or the musical work embodied therein is made from the inception of the transmission through to its receipt by the transmission recipient in order to make the sound recording audible. A digital phonorecord delivery does not include the digital transmission of sounds accompanying a motion picture or other audiovisual work as defined in section 101 of this title.

''(11) ENACTMENT DATE.—The term 'enactment date' means the date of the enactment of the Musical Works Modernization Act.

''(12) INDIVIDUAL DOWNLOAD LICENSE.—The term 'individual download license' means a compulsory license obtained by a record company to make and distribute, or authorize the making and distribution of, permanent downloads embodying a specific individual musical work.

''(13) INTERACTIVE STREAM.—The term 'interactive stream' means a digital transmission of a sound recording of a musical work in the form of a stream, where the performance of the sound recording by means of such transmission is not exempt under section 114(d)(1) and does not in itself, or as a result of a program in which it is included, qualify for statutory licensing under section 114(d)(2). An interactive stream is a digital phonorecord delivery.

''(14) INTERESTED.—The term 'interested', as applied to a party seeking to participate in a proceeding under subsection (d)(7)(D), is a party as to which the Copyright Royalty Judges have not determined that the party lacks a significant interest in such proceeding.

''(15) LICENSE AVAILABILITY DATE.—The term 'license availability date' means the next January 1 following the expiration of the two-year period beginning on the enactment date.

''(16) LIMITED DOWNLOAD.—The term 'limited download' means a digital transmission of a sound recording of a musical work in the form of a download, where such sound recording is accessible for listening only for a limited amount of time or specified number of times.

''(17) MATCHED.—The term 'matched', as applied to a musical work (or share thereof), means that the copyright owner of such work (or share thereof) has been identified and located.

''(18) MECHANICAL LICENSING COLLECTIVE.—The term 'mechanical licensing collective' means the entity most recently designated as such by the Register of Copyrights under subsection (d)(3).

''(19) MECHANICAL LICENSING COLLECTIVE BUDGET.—The term 'mechanical licensing collective budget' means a statement of the financial position of the mechanical licensing collective for a fiscal year or quarter thereof based on estimates of expenditures during the period and proposals for financing them, including a calculation of the collective total costs.

''(20) MUSICAL WORKS DATABASE.—The term 'musical works database' means the database described in subsection (d)(3)(E).

''(21) NONPROFIT.—The term 'nonprofit' means a nonprofit created or organized in a State.

''(22) NOTICE OF LICENSE.—The term 'notice of license' means a notice from a digital music provider provided under subsection (d)(2)(A) for purposes of obtaining a blanket license.

''(23) NOTICE OF NONBLANKET ACTIVITY.—The term 'notice of nonblanket activity' means a notice from a significant nonblanket licensee provided under subsection (d)(6)(A) for purposes of notifying the mechanical licensing collective that the licensee has been engaging in covered activities.

''(24) PERMANENT DOWNLOAD.—The term 'permanent download' means a digital transmission of a sound recording of a musical work in the form of a download, where such sound recording is accessible for listening without restriction as to the amount of time or number of times it may be accessed.

''(25) QUALIFIED AUDITOR.—The term 'qualified auditor' means an independent, certified public accountant with experience performing music royalty audits.

''(26) RECORD COMPANY.—The term 'record company' means an entity that invests in, produces, and markets sound recordings of musical works, and distributes such sound recordings for remuneration through multiple sales channels, including a corporate affiliate of such an entity engaged in distribution of sound recordings.

''(27) REPORT OF USAGE.—The term 'report of usage' means a report reflecting an entity's usage of musical works in covered activities described in subsection (d)(4)(A).

''(28) REQUIRED MATCHING EFFORTS.—The term 'required matching efforts' means efforts to identify and locate copyright owners of musical works as described in subsection (d)(10)(B)(i).

''(29) SERVICE.—The term 'service', as used in relation to covered activities, means any site, facility, or offering by or through which sound recordings of musical works are digitally transmitted to members of the public.

''(30) SHARE.—The term 'share', as applied to a musical work, means a fractional ownership interest in such work.

''(31) SIGNIFICANT NONBLANKET LICENSEE.—The term 'significant nonblanket licensee'—

''(A) means an entity, including a group of entities under common ownership or control that, acting under the authority of one or more voluntary licenses or individual download licenses, offers a service engaged in covered activities, and such entity or group of entities—

''(i) is not currently operating under a blanket license and is not obligated to provide reports of usage reflecting covered activities under subsection (d)(4)(A);

''(ii) has a direct contractual, subscription, or other economic relationship with end users of the service or, if no such relationship with end users exists, exercises direct control over the provision of the service to end users; and

''(iii) either—

''(I) on any day in a calendar month, makes more than 5,000 different sound recordings of musical works available through such service; or

''(II) derives revenue or other consideration in connection with such covered activities greater than $50,000 in a calendar month, or total revenue or other consideration greater than $500,000 during the preceding 12 calendar months; and

''(B) does not include—

''(i) an entity whose covered activity consists solely of free-to-the-user streams of segments of sound recordings of musical works that do not exceed 90 seconds in length, are offered only to facilitate a licensed use of musical works that is not a covered activity, and have no revenue directly attributable to such streams constituting the covered activity; or

''(ii) a 'public broadcasting entity' as defined in section 118(f).

''(32) SONGWRITER.—The term 'songwriter' means the author of all or part of a musical work, including a composer or lyricist.

''(33) STATE.—The term 'State' means each State of the United States, the District of Columbia, and each territory or possession of the United States.

''(34) UNCLAIMED ACCRUED ROYALTIES.—The term 'unclaimed accrued royalties' means accrued royalties eligible for distribution under subsection (d)(3)(J).

''(35) UNMATCHED.—The term 'unmatched', as applied to a musical work (or share thereof), means that the copyright owner of such work (or share thereof) has not been identified or located.

''(36) VOLUNTARY LICENSE.—The term 'voluntary license' means a license for use of a musical work (or share thereof) other than a compulsory license obtained under this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS TO SECTION 801.—Section 801(b) of title 17, United States Code, is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following new paragraph:

''(8) To determine the administrative assessment to be paid by digital music providers under section 115(d). The provisions of section 115(d) shall apply to the conduct of proceedings by the Copyright Royalty Judges under section 115(d) and not the procedures described in this section, or section 803, 804, or 805.''.

(c) EFFECTIVE DATE OF AMENDED RATE SETTING STANDARD.—The amendments made by subsections (a)(3)(D) and (b)(1) shall apply to any proceeding before the Copyright Royalty

Judges that is pending on, or commenced on or after, the date of the enactment of this Act.

(d) TECHNICAL AND CONFORMING AMENDMENTS TO TITLE 37, PART 385 OF THE CODE OF FEDERAL REGULATIONS.—Within 9 months after the date of the enactment of this Act, the Copyright Royalty Judges shall amend the regulations for section 115 in part 385 of title 37, Code of Federal Regulations to conform the definitions used in such part to the definitions of the same terms described in section 115(e) of title 17, United States Code, as amended by subsection (a). In so doing, the Copyright Royalty Judges shall make adjustments to the language of the regulations as necessary to achieve the same purpose and effect as the original regulations with respect to the rates and terms previously adopted by the Copyright Royalty Judges.

**SEC. 103. AMENDMENTS TO SECTION 114.**

(a) UNIFORM RATE STANDARD.—Section 114(f) of title 17, United States Code, is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1)(A) Proceedings under chapter 8 shall determine reasonable rates and terms of royalty payments for transmissions subject to statutory licensing under subsection (d)(2) during the 5-year period beginning on January 1 of the second year following the year in which the proceedings are to be commenced pursuant to subparagraph (A) or (B) of section 804(b)(3), as the case may be, or such other period as the parties may agree. The parties to each proceeding shall bear their own costs.

''(B) The schedule of reasonable rates and terms determined by the Copyright Royalty Judges shall, subject to paragraph (2), be binding on all copyright owners of sound recordings and entities performing sound recordings affected by this paragraph during the 5-year period specified in subparagraph (A), or such other period as the parties may agree. Such rates and terms shall distinguish among the different types of services then in operation and shall include a minimum fee for each such type of service, such differences to be based on criteria including the quantity and nature of the use of sound recordings and the degree to which use of the service may substitute for or may promote the purchase of phonorecords by consumers. The Copyright Royalty Judges shall establish rates and terms that most clearly represent the rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller. In determining such rates and terms, the Copyright Royalty Judges—

''(i) shall base their decision on economic, competitive, and programming information presented by the parties, including—

''(I) whether use of the service may substitute for or may promote the sales of phonorecords or otherwise may interfere with or may enhance the sound recording copyright owner's other streams of revenue from the copyright owner's sound recordings; and

''(II) the relative roles of the copyright owner and the transmitting entity in the copyrighted work and the service made available to the public with respect to relative creative contribution, technological contribution, capital investment, cost, and risk; and

''(ii) may consider the rates and terms for comparable types of audio transmission services and comparable circumstances under voluntary license agreements.

''(C) The procedures under subparagraphs (A) and (B) shall also be initiated pursuant to a petition filed by any sound recording copyright owner or any transmitting entity indicating that a new type of service on which sound recordings are performed is or is about to become operational, for the purpose of determining reasonable terms and rates of royalty payments with respect to such new type of service for the period beginning with the inception of such new type of service and ending on the date on which the royalty rates and terms for eligible nonsubscription services and new subscription services, or preexisting services, as the case may be, most recently determined under subparagraph (A) or (B) and chapter 8 expire, or such other period as the parties may agree.''; and

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(b) REPEAL.—Subsection (i) of section 114 of title 17, United States Code, is repealed.

(c) USE IN MUSICAL WORK PROCEEDINGS.—

(1) IN GENERAL.—License fees payable for the public performance of sound recordings under section 106(6) of title 17, United States Code, shall not be taken into account in any administrative, judicial, or other governmental proceeding to set or adjust the royalties payable to musical work copyright owners for the public performance of their works except in such a proceeding to set or adjust royalties for the public performance of musical works by means of a digital audio transmission other than a transmission by a broadcaster, and may be taken into account only with respect to such digital audio transmission.

(2) DEFINITIONS.—In this subsection:

(A) TRANSMISSION BY A BROADCASTER.—A ''transmission by a broadcaster'' means a nonsubscription digital transmission made by a terrestrial broadcast station on its own behalf, or on the behalf of a terrestrial broadcast station under common ownership or control, that is not part of an interactive service or a music-intensive service comprising the transmission of sound recordings customized for or customizable by recipients or service users.

(B) TERRESTRIAL BROADCAST STATION.—A ''terrestrial broadcast station'' means a terrestrial, over-the-air radio or television broadcast station, licensed as such by the Federal Communications Commission, including an FM Translator as defined in section 74.1231 of title 47, Code of Federal Regulations, and whose primary business activities are comprised of, and revenues are generated through, terrestrial, over-the-air broadcast transmissions, or the simultaneous or substantially-simultaneous digital retransmission by the terrestrial, over-the-air broadcast station of its over-the-air broadcast transmissions.

(d) RULE OF CONSTRUCTION.—Subsection (c)(2) shall not be given effect in interpreting provisions of title 17, United States Code.

(e) USE IN SOUND RECORDING PROCEEDINGS.—The repeal of section 114(i) of title 17, United States Code, by subsection (b) shall not be taken into account in any proceeding to set or adjust the rates and fees payable for the use of sound recordings under section 112(e) or section 114(f) of such title that is pending on, or commenced on or after, the date of the enactment of this Act.

(f) DECISIONS AND PRECEDENTS NOT AFFECTED.—The repeal of section 114(i) of title 17, United States Code, by subsection (b) shall not have any effect upon the decisions, or the precedents established or relied upon, in any proceeding to set or adjust the rates and fees payable for the use of sound recordings under section 112(e) or section 114(f) of such title before the date of the enactment of this Act.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 114.—Section 114(f) of title 17, United States Code, as amended by subsection (a), is further amended in paragraph (4)(C), as so redesignated, by striking ''under paragraph (4)'' and inserting ''under paragraph (3)''.

(2) SECTION 801.—Section 801(b)(1) of title 17, United States Code, is amended by striking ''The rates applicable'' and all that follows though ''prevailing industry practices.''.

(3) SECTION 804.—Section 804(b)(3)(C) of title 17, United States Code, is amended—

(A) in clause (i), by striking ''and 114(f)(2)(C)'';

(B) in clause (iii)(II), by striking ''114(f)(4)(B)(ii)'' and inserting ''114(f)(3)(B)(ii)''; and

(C) in clause (iv), by striking ''or 114(f)(2)(C), as the case may be''.

**SEC. 104. RANDOM ASSIGNMENT OF RATE COURT PROCEEDINGS.**

Section 137 of title 28, United States Code, is amended—

(1) by striking ''The business'' and inserting ''(a) IN GENERAL.—The business''; and

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

''(b) RANDOM ASSIGNMENT OF RATE COURT PROCEEDINGS.—

''(1) IN GENERAL.—

''(A) DETERMINATION OF LICENSE FEE.—Except as provided in subparagraph (B), in the case of any performing rights society subject to a consent decree, any application for the determination of a license fee for the public performance of music in accordance with the applicable consent decree shall be made in the district court with jurisdiction over that consent decree and randomly assigned to a judge of that district court according to that court's rules for the division of business among district judges currently in effect or as may be amended from time to time, provided that any such application shall not be assigned to—

''(i) a judge to whom continuing jurisdiction over any performing rights society for any performing rights society consent decree is assigned or has previously been assigned; or

''(ii) a judge to whom another proceeding concerning an application for the determination of a reasonable license fee is assigned at the time of the filing of the application.

''(B) EXCEPTION.—Subparagraph (A) does not apply to an application to determine reasonable license fees made by individual proprietors under section 513 of title 17.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall modify the rights of any party to a consent decree or to a proceeding to determine reasonable license fees, to make an application for the construction of any provision of the applicable consent decree. Such application shall be referred to the judge to whom continuing jurisdiction over the applicable consent decree is currently assigned. If any such application is made in connection with a rate proceeding, such rate proceeding shall be stayed until the final determination of the construction application. Disputes in connection with a rate proceeding about whether a licensee is similarly situated to another licensee shall not be subject to referral to the judge with continuing jurisdiction over the applicable consent decree.''.

## TITLE II—COMPENSATING LEGACY ARTISTS FOR THEIR SONGS, SERVICE, AND IMPORTANT CONTRIBUTIONS TO SOCIETY

**SEC. 201. SHORT TITLE.**

This title may be cited as the ''Compensating Legacy Artists for their Songs, Service, and Important Contributions to Society Act'' or the ''CLASSICS Act''.

**SEC. 202. UNAUTHORIZED DIGITAL PERFORMANCE OF PRE-1972 SOUND RECORDINGS.**

(a) PROTECTION FOR UNAUTHORIZED DIGITAL PERFORMANCES.—Title 17, United States Code, is amended by adding at the end the following new chapter:

**"CHAPTER 14—UNAUTHORIZED DIGITAL PERFORMANCE OF PRE-1972 SOUND RECORDINGS**

"Sec.
"1401. Unauthorized digital performance of pre-1972 sound recordings.

**"§ 1401. Unauthorized digital performance of pre-1972 sound recordings**

"(a) UNAUTHORIZED ACTS.—Anyone who, before February 15, 2067, and without the consent of the rights owner, performs publicly, by means of a digital audio transmission, a sound recording fixed on or after January 1, 1923, and before February 15, 1972, shall be subject to the remedies provided in sections 502 through 505 to the same extent as an infringer of copyright.

"(b) CERTAIN AUTHORIZED TRANSMISSIONS.—A digital audio transmission of a sound recording fixed on or after January 1, 1923, and before February 15, 1972, shall, for purposes of subsection (a), be considered to be authorized and made with the consent of the rights owner if—

"(1) the transmission is made by a transmitting entity that is publicly performing sound recordings fixed on or after February 15, 1972, by means of digital audio transmissions subject to section 114;

"(2) the transmission would satisfy the requirements for statutory licensing under section 114(d)(2), or would be exempt under section 114(d)(1), if the sound recording were fixed on or after February 15, 1972;

"(3) in the case of a transmission that would not be exempt under section 114(d)(1) as described in paragraph (2), the transmitting entity pays statutory royalties and provides notice of its use of the relevant sound recordings in the same manner as is required by regulations adopted by the Copyright Royalty Judges for sound recordings fixed on or after February 15, 1972; and

"(4) in the case of a transmission that would not be exempt under section 114(d)(1) as described in paragraph (2), the transmitting entity otherwise satisfies the requirements for statutory licensing under section 114(f)(4)(B).

"(c) TRANSMISSIONS BY DIRECT LICENSING OF STATUTORY SERVICES.—

"(1) IN GENERAL.—A transmission of a sound recording fixed on or after January 1, 1923, and before February 15, 1972, shall, for purposes of subsection (a), be considered to be authorized and made with the consent of the rights owner if such transmission is included in a license agreement voluntarily negotiated at any time between the rights owner and the entity performing the sound recording.

"(2) PAYMENT OF ROYALTIES TO NONPROFIT COLLECTIVE.—To the extent that such a license agreement entered into on or after the date of the enactment of this section extends to digital audio transmissions of a sound recording fixed on or after January 1, 1923, and before February 15, 1972, that meet the conditions of subsection (b), the licensee shall pay, to the collective designated to distribute receipts from the licensing of transmissions in accordance with section 114(f), 50 percent of the performance royalties for the transmissions due under the license, with such royalties fully credited as payments due under the license.

"(3) DISTRIBUTION OF ROYALTIES BY COLLECTIVE.—The collective described in paragraph (2) shall, in accordance with subparagraphs (B) through (D) of section 114(g)(2), and paragraphs (5) and (6) of section 114(g)), distribute the royalties received under paragraph (2) under the license described in paragraph (2). Such payments shall be the only payments to which featured and nonfeatured artists are entitled by virtue of the transmissions described in paragraph (2) under the license.

"(4) RULE OF CONSTRUCTION.—This section does not prohibit any other license from directing the licensee to pay other royalties due to featured and nonfeatured artists for such transmissions to the collective designated to distribute receipts from the licensing of transmissions in accordance with section 114(f).

"(d) RELATIONSHIP TO STATE LAW.—

"(1) IN GENERAL.—Nothing in this section shall be construed to annul or limit any rights or remedies under the common law or statutes of any State for sound recordings fixed before February 15, 1972, except, notwithstanding section 301(c), for the following:

"(A) This section preempts any claim of common law copyright or equivalent right under the laws of any State arising from any digital audio transmission that is made, on and after the date of the enactment of this section, of a sound recording fixed on or after January 1, 1923, and before February 15, 1972.

"(B) This section preempts any claim of common law copyright or equivalent right under the laws of any State arising from any reproduction that is made, on and after the date of the enactment of this section, of a sound recording fixed on or after January 1, 1923, and before February 15, 1972, and that would satisfy the requirements for statutory licensing under paragraphs (1) and (6) of section 112(e), if the sound recording were fixed on or after February 15, 1972.

"(C) This section preempts any claim of common law copyright or equivalent right under the laws of any State arising from any digital audio transmission or reproduction that is made, before the date of the enactment of this section, of a sound recording fixed on or after January 1, 1923, and before February 15, 1972, if—

"(i) the digital audio transmission would have satisfied the requirements for statutory licensing under section 114(d)(2) or been exempt under section 114(d)(1), or the reproduction would have satisfied the requirements of section 112(e)(1), as the case may be, if the sound recording were fixed on or after February 15, 1972; and

"(ii) except in the case of transmissions that would have been exempt under section 114(d)(1), the transmitting entity, before the end of the 270-day period beginning on the date of the enactment of this section, pays statutory royalties and provides notice of the use of the relevant sound recordings in the same manner as is required by regulations adopted by the Copyright Royalty Judges for sound recordings that are protected under this title for all the digital audio transmissions and reproductions satisfying the requirements for statutory licensing under section 114(d)(2) and section 112(e)(1) during the 3 years prior to the date of the enactment of this section.

"(2) RULE OF CONSTRUCTION FOR COMMON LAW COPYRIGHT.—For purposes of subparagraphs (A) through (C) of paragraph (1), a claim of common law copyright or equivalent right under the laws of any State includes a claim that characterizes conduct subject to such subparagraphs as an unlawful distribution, act of record piracy, or similar violation.

"(3) RULE OF CONSTRUCTION FOR PUBLIC PERFORMANCE RIGHTS.—Nothing in this section shall be construed to recognize or negate the existence of public performance rights in sound recordings under the laws of any State.

"(e) LIMITATIONS ON REMEDIES.—

"(1) FAIR USE; USES BY LIBRARIES, ARCHIVES, AND EDUCATIONAL INSTITUTIONS.—The limitations on the exclusive rights of a copyright owner described in sections 107, 108, and 110(1) and (2) shall apply to a claim under subsection (a) for the unauthorized performance of a sound recording fixed on or after January 1, 1923, and before February 15, 1972.

"(2) ACTIONS.—The limitations on actions described in section 507 shall apply to a claim under subsection (a) for the unauthorized performance of a sound recording fixed on or after January 1, 1923, and before February 15, 1972.

"(3) MATERIAL ONLINE.—Section 512 shall apply to a claim under subsection (a) for the unauthorized performance of a sound recording fixed on or after January 1, 1923, and before February 15, 1972.

"(4) PRINCIPLES OF EQUITY.—Principles of equity apply to remedies for a violation of this section to the same extent as such principles apply to remedies for infringement of copyright.

"(5) FILING REQUIREMENT FOR STATUTORY DAMAGES AND ATTORNEYS' FEES.—

"(A) FILING OF INFORMATION ON SOUND RECORDINGS.—

"(i) FILING REQUIREMENT.—Except in the case of a transmitting entity that has filed contact information for that transmitting entity under subparagraph (B), in any action under this section, an award of statutory damages or of attorneys' fees under section 504 or 505 may be made with respect to an unauthorized transmission of a sound recording under subsection (a) only if—

"(I) the rights owner has filed with the Copyright Office a schedule that specifies the title, artist, and rights owner of the sound recording and contains such other information, as practicable, as the Register of Copyrights prescribes by regulation; and

"(II) the transmission is made after the end of the 90-day period beginning on the date on which the information filed under subclause (I) is indexed into the public records of the Copyright Office.

"(ii) REGULATIONS.—The Register of Copyrights shall, before the end of the 180-day period beginning on the date of the enactment of this section, issue regulations establishing the form, content, and procedures for the filing of schedules under clause (i). Such regulations shall provide that persons may request that they receive timely notification of such filings, and shall set forth the manner in which such requests may be made.

"(B) FILING OF CONTACT INFORMATION FOR TRANSMITTING ENTITIES.—

"(i) FILING REQUIREMENT.—The Register of Copyrights shall, before the end of the 30-day period beginning on the date of the enactment of this section, issue regulations establishing the form, content, and procedures for the filing, by any entity that, as of the date of the enactment of this section, performs sound recordings fixed before February 15, 1972, by means of digital audio transmissions, of contact information for such entity.

"(ii) TIME LIMIT ON FILINGS.—The Register of Copyrights may accept filings under clause (i) only until the 180th day after the date of the enactment of this section.

"(iii) LIMITATION ON STATUTORY DAMAGES AND ATTORNEYS' FEES.—

"(I) LIMITATION.—An award of statutory damages or of attorneys' fees under section 504 or 505 may not be made, against an entity that has filed contact information for that entity under clause (i), with respect to an unauthorized transmission by that entity of a sound recording under subsection (a) if the transmission is made before the end of the

90-day period beginning on the date on which the entity receives a notice that—

''(aa) is sent by or on behalf of the rights owner of the sound recording;

''(bb) states that the entity is not legally authorized to transmit that sound recording under subsection (a); and

''(cc) identifies the sound recording in a schedule conforming to the requirements prescribed by the regulations issued under subparagraph (A)(ii).

''(II) UNDELIVERABLE NOTICES.—In any case in which a notice under subclause (I) is sent to an entity by mail or courier service and the notice is returned to the sender because the entity either is no longer located at the address provided in the contact information filed under clause (i) or has refused to accept delivery, or the notice is sent by electronic mail and is undeliverable, the 90-day period under subclause (I) shall begin on the date of the attempted delivery.

''(C) SECTION 412.—Section 412 shall not limit an award of statutory damages under section 504(c) or attorneys' fees under section 505 with respect to an unauthorized transmission of a sound recording under subsection (a).

''(6) APPLICABILITY OF OTHER PROVISIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), no provision of this title shall apply to or limit the remedies available under this section except as otherwise provided in this section.

''(B) APPLICABILITY OF DEFINITIONS.—Any term used in this section that is defined in section 101 shall have the meaning given that term in section 101.

''(f) APPLICATION OF SECTION 230 SAFE HARBOR.—For purposes of section 230 of the Communications Act of 1934 (47 U.S.C. 230), subsection (a) shall be considered to be a 'law pertaining to intellectual property' under subsection (e)(2) of such section.

''(g) RIGHTS OWNER DEFINED.—In this section, the term 'rights owner' means the person who has the exclusive right to reproduce a sound recording under the laws of any State.''.

(b) CONFORMING AMENDMENT.—The table of chapters for title 17, United States Code, is amended by adding at the end the following new chapter:

''14. Unauthorized digital performance of pre-1972 sound recordings 1401''.

**SEC. 203. EFFECTIVE DATE.**

This title and the amendments made by this title shall take effect on the date of the enactment of this Act.

## TITLE III—ALLOCATION FOR MUSIC PRODUCERS

**SEC. 301. SHORT TITLE.**

This title may be cited as the ''Allocation for Music Producers Act'' or the ''AMP Act''.

**SEC. 302. PAYMENT OF STATUTORY PERFORMANCE ROYALTIES.**

(a) LETTER OF DIRECTION.—Section 114(g) of title 17, United States Code, is amended by adding at the end the following new paragraph:

''(5) LETTER OF DIRECTION.—

''(A) IN GENERAL.—A nonprofit collective designated by the Copyright Royalty Judges to distribute receipts from the licensing of transmissions in accordance with subsection (f) shall adopt and reasonably implement a policy that provides, in circumstances determined by the collective to be appropriate, for acceptance of instructions from an artist payee identified under subparagraph (A) or (D) of paragraph (2) to distribute, to a producer, mixer, or sound engineer who was part of the creative process that created a sound recording, a portion of the payments to which the artist payee would otherwise be entitled from the licensing of transmissions of the sound recording. In this section, such instructions shall be referred to as a 'letter of direction'.

''(B) ACCEPTANCE OF LETTER.—To the extent that the collective accepts a letter of direction under subparagraph (A), the person entitled to payment pursuant to the letter of direction shall, during the period in which the letter of direction is in effect and carried out by the collective, be treated for all purposes as the owner of the right to receive such payment, and the artist payee providing the letter of direction to the collective shall be treated as having no interest in such payment.

''(C) AUTHORITY OF COLLECTIVE.—This paragraph shall not be construed in such a manner so that the collective is not authorized to accept or act upon payment instructions in circumstances other than those to which this paragraph applies.''.

(b) ADDITIONAL PROVISIONS FOR RECORDINGS FIXED BEFORE NOVEMBER 1, 1995.—Section 114(g) of title 17, United States Code, as amended by subsection (a), is further amended by adding at the end the following new paragraph:

''(6) SOUND RECORDINGS FIXED BEFORE NOVEMBER 1, 1995.—

''(A) PAYMENT ABSENT LETTER OF DIRECTION.—A nonprofit collective designated by the Copyright Royalty Judges to distribute receipts from the licensing of transmissions in accordance with subsection (f) (in this paragraph referred to as the 'collective') shall adopt and reasonably implement a policy that provides, in circumstances determined by the collective to be appropriate, for the deduction of 2 percent of all the receipts that are collected from the licensing of transmissions of a sound recording fixed before November 1, 1995, but which is withdrawn from the amount otherwise payable under paragraph (2)(D) to the recording artist or artists featured on the sound recording (or the persons conveying rights in the artists' performance in the sound recording), and the distribution of such amount to one or more persons described in subparagraph (B), after deduction of costs described in paragraph (3) or (4), as applicable, if each of the following requirements is met:

''(i) CERTIFICATION OF ATTEMPT TO OBTAIN A LETTER OF DIRECTION.—The person described in subparagraph (B) who is to receive the distribution has certified to the collective, under penalty of perjury, that—

''(I) for a period of at least 4 months, that person made reasonable efforts to contact the artist payee for such sound recording to request and obtain a letter of direction instructing the collective to pay to that person a portion of the royalties payable to the featured recording artist or artists; and

''(II) during the period beginning on the date that person began the reasonable efforts described in subclause (I) and ending on the date of that person's certification to the collective, the artist payee did not affirm or deny in writing the request for a letter of direction.

''(ii) COLLECTIVE ATTEMPT TO CONTACT ARTIST.—After receipt of the certification described in clause (i) and for a period of at least 4 months before the collective's first distribution to the person described in subparagraph (B), the collective attempted, in a reasonable manner as determined by the collective, to notify the artist payee of the certification made by the person described in subparagraph (B).

''(iii) NO OBJECTION RECEIVED.—The artist payee did not, as of the date that is 10 business days before the date on which the first distribution is made, submit to the collective in writing an objection to the distribution.

''(B) ELIGIBILITY FOR PAYMENT.—A person shall be eligible for payment under subparagraph (A) if the person—

''(i) is a producer, mixer, or sound engineer of the sound recording;

''(ii) has entered into a written contract with a record company involved in the creation or lawful exploitation of the sound recording, or with the recording artist or artists featured on the sound recording (or the persons conveying rights in the artists' performance in the sound recording), under which the person seeking payment is entitled to participate in royalty payments that are based on the exploitation of the sound recording and are payable from royalties otherwise payable to the recording artist or artists featured on the sound recording (or the persons conveying rights in the artists' performance in the sound recording);

''(iii) made a creative contribution to the creation of the sound recording; and

''(iv) submits a written certification to the collective stating, under penalty of perjury, that the person meets the requirements in clauses (i) through (iii) and includes a true copy of the contract described in clause (ii).

''(C) MULTIPLE CERTIFICATIONS.—Subject to subparagraph (D), in a case in which more than one person described in subparagraph (B) has met the requirements for a distribution under subparagraph (A) with respect to a sound recording as of the date that is 10 business days before the date on which a distribution is made, the collective shall divide the 2 percent distribution equally among all such persons.

''(D) OBJECTION TO PAYMENT.—Not later than 10 business days after the date on which the collective receives from the artist payee a written objection to a distribution made pursuant to subparagraph (A), the collective shall cease making any further payment relating to such distribution. In any case in which the collective has made one or more distributions pursuant to subparagraph (A) to a person described in subparagraph (B) before the date that is 10 business days after the date on which the collective receives from the artist payee an objection to such distribution, the objection shall not affect that person's entitlement to any distribution made before the collective ceases such distribution under this subparagraph.

''(E) OWNERSHIP OF THE RIGHT TO RECEIVE PAYMENTS.—To the extent that the collective determines that a distribution will be made under subparagraph (A) to a person described in subparagraph (B), such person shall, during the period covered by such distribution, be treated for all purposes as the owner of the right to receive such payments, and the artist payee to whom such payments would otherwise be payable shall be treated as having no interest in such payments.

''(F) ARTIST PAYEE DEFINED.—In this paragraph, the term 'artist payee' means a person, other than a person described in subparagraph (B), who owns the right to receive all or part of the receipts payable under paragraph (2)(D) with respect to a sound recording. In a case in which there are multiple artist payees with respect to a sound recording, an objection by one such payee shall apply only to that payee's share of the receipts payable under paragraph (2)(D), and does not preclude payment under subparagraph (A) from the share of an artist payee that does not so object.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 114(g) of title 17, United States Code, as amended by subsections (a) and (b), is further amended—

(1) in paragraph (2), by striking ''An agent designated'' and inserting ''Except as provided for in paragraph (6), a nonprofit collective designated by the Copyright Royalty Judges'';

(2) in paragraph (3)—

(A) by striking ''nonprofit agent designated'' and inserting ''nonprofit collective designated by the Copyright Royalty Judges'';

(B) by striking ''another designated agent'' and inserting ''another designated nonprofit collective''; and

(C) by striking ''agent'' and inserting ''collective'' each subsequent place it appears;

(3) in paragraph (4)—

(A) by striking ''designated agent'' and inserting ''nonprofit collective''; and

(B) by striking ''agent'' and inserting ''collective'' each subsequent place it appears; and

(4) by adding at the end the following new paragraph:

''(7) PREEMPTION OF STATE PROPERTY LAWS.—The holding and distribution of receipts under section 112 and this section by a nonprofit collective designated by the Copyright Royalty Judges in accordance with this subsection and regulations adopted by the Copyright Royalty Judges shall supersede and preempt any State law (including common law) concerning escheatment or abandoned property, or any analogous provision, that might otherwise apply.''.

**SEC. 303. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

(b) DELAYED EFFECTIVE DATE.—The effective date for paragraphs (5)(B) and (6)(E) of section 114(g) of title 17, United States Code, as added by section 302, shall be January 1, 2020.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5447, currently under consideration.

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

There was no objection.

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

Mr. Speaker, today, the House brings early 20th century music laws for the analog era into the 21st century digital era. These changes are a culmination of years of effort by interested parties as well as by many members of the Judiciary Committee.

The problems and failures in our Nation's music laws have imposed real financial costs upon artists and creators. Music is no longer written on piano rolls and our laws shouldn't be based on that technology any longer either.

Several years ago, the Judiciary Committee began a comprehensive review of our Nation's copyright laws. We held dozens of hearings, heard from over 100 witnesses, and traveled to multiple cities across the country to hear directly from stakeholders who use these laws. This review provided the foundation upon which several bills to reform our copyright laws were constructed.

During the course of this review, we learned that our music licensing laws were no longer working as intended for songwriters, artists, and creators, or for the companies that deliver the music in innovative ways for consumers.

Specifically, we have heard about several key problems, including a dysfunctional mechanical licensing system that seems to generate more paperwork and attorneys' fees than royalties; a need to provide protection for pre-1972 performances; a lack of recognition in the law for the creative input of producers, sound engineers, and mixers; and a lack of a unified rate standard for music royalties.

The Judiciary Committee regularly hears from a variety of groups interested in copyright law, and it will not surprise anyone to know that, typically, not everyone agrees regarding what changes to title 17 are necessary. One person's problem may be another's benefit, and some have preferred a broken system over an unknown change.

However, in a reflection of how bad our music statutes are, the opposite is true with respect to the bill before us today. Every party that has spoken about music recognizes the problems caused by our current licensing framework and wants real solutions. The existing music provisions of title 17 are simply that bad.

I tasked the industry to come together with a unified reform bill and, to their credit, they delivered, albeit with an occasional bump along the way. Today, the major players in the music industry are unified in supporting comprehensive music licensing reform to bring the state of our Nation's copyright laws into the digital age that the industry itself has already transitioned to.

While no bill is perfect, by all accounts, this is a bill with overwhelming consensus behind it. Groups that represent songwriters, musical works copyright owners, digital music providers, individual artists, sound recording copyright owners, artist guilds, and performing rights organizations all support the bill.

The reasons for such widespread support are clear:

The Music Modernization Act boosts payments for copyright owners and artists by shifting the reasonable costs of a new mechanical licensing collective onto digital music services that, themselves, benefit from reduced litigation costs as a result of other provisions in the bill.

Songwriters gain a seat at the table in seeing how their royalties are collected and then allocated.

Pre-1972 artists who currently go unpaid will finally see royalties for their creations, as will sound engineers, mixers, and producers. The public benefits, too, by having immediate access to all music on their favorite services. Furthermore, libraries and archives gain educational and fair use access to pre-1972 works currently governed under State law.

This bill is the work product of many stakeholders and many Members. I want to highlight the work of several of my colleagues, including the ranking member, who were leaders in working on the underlying components of this bill.

I want to especially thank Mr. COLLINS and Mr. JEFFRIES for their leadership on section 115 reform. I would like to thank Mr. ISSA and Mr. NADLER for their leadership on behalf of pre-1972 performers. I would also like to thank Mr. CROWLEY and Mr. ROONEY for their efforts on behalf of producers, mixers, and sound engineers.

And last but not least, I would like to thank Ranking Member NADLER for his leadership on these issues and for his willingness to partner with me in putting these pieces together into a comprehensive and consensus music licensing reform package.

Sometimes big pieces of legislation can come together only through the efforts of a large number of people who invest their time in making change happen, as so many Members and so many stakeholders in the music and digital delivery communities have done. It also has to happen at the right time.

I would note that only 1 week ago, GRAMMYs on the Hill brought hundreds of artists to D.C. to explain to their own Members of Congress how important an updated licensing system is to them. This bill delivers that for them just 1 day before World Intellectual Property Day, when we recognize the value of intellectual property and those who create it. So I am on safe ground when I say that this bill fits right into the perfect sweet spot on both timing and substance.

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

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

Mr. Speaker, I rise in support of the Music Modernization Act. I am proud to partner with Chairman GOODLATTE on this comprehensive bill intended to resolve some longstanding inequities and inefficiencies in the music marketplace. We have achieved consensus on this bill, which passed out of the Judiciary Committee by a remarkable vote of 32–0.

The package includes the original Music Modernization Act, H.R. 4706, introduced by Mr. COLLINS and Mr. JEFFRIES, which significantly reforms the process for licensing mechanical reproduction royalties under section 115 of the Copyright Act. It also includes a number of provisions to ensure that songwriters and other music creators receive fair market value for their work.

The package includes the CLASSICS Act, H.R. 3301, introduced by Chairman

ISSA and me, to resolve the dispute over payment to legacy artists for pre-1972 works played on digital radio platforms.

For too long, many of our Nation's great cultural icons have been unfairly denied compensation. That is why this measure is supported by the NAACP and more than 300 major artists.

The bill includes the AMP Act, H.R. 831, introduced by Mr. CROWLEY and Mr. ROONEY, to simplify the payment of royalties to producers, mixers, and engineers, recognizing in Federal copyright their important contributions to the creation of music.

Several of these measures were included in the Fair Play Fair Pay Act, H.R. 1836, a bipartisan bill I introduced with Representative MARSHA BLACKBURN, Chairman ISSA, and Mr. DEUTCH, to create a uniform system for sound recordings. They, along with Mr. COLLINS and Mr. JEFFRIES, deserve a tremendous amount of credit for getting us to this point.

We are at a unique moment in time where virtually all the industry stakeholders have come together in support of a common music policy agenda. The bill is supported by a broad coalition that includes songwriters and artists, publishers and labels, and internet and digital media companies such as Pandora, Spotify, Google, and Amazon.

I want to thank the members of my staff who worked for years to resolve some very complex and sensitive issues to move this legislation forward: Lisette Morton, Jason Everett, and David Greengrass. This is an historic opportunity to accomplish a great deal that hasn't been done in decades.

Mr. Speaker, I urge all of my colleagues to support the Music Modernization Act, and I reserve the balance of my time.

□ 1415

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. COLLINS), a member of the Judiciary Committee and a key legislator in making sure that this legislation moves forward. He has worked very, very hard on it.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in support of H.R. 5447, the Music Modernization Act.

It has already been said that this bill combines critical pieces of legislation to update our laws, including legislation that I authored, the Music Modernization Act, but it also represents the CLASSICS Act, the AMP Act, and rate standardization, things that have been negotiated for a long period of time.

As we have looked at this and we have talked about it, this is a bill today that comes to the floor with overwhelming support, not just on this floor, not just in the committee where it passed 32–0. It comes to this floor with an industry that many times couldn't even decide that they wanted to talk to each other about things in their industry, but who came together with overwhelming support and said this is where we need to be.

I can remember when the chairman first laid out a vision that would deal with copyright. Most thought it was a dream that would never happen. In fact, some thought we would never even get text that people could agree on. They were wrong, because we did.

I want to thank the leadership of Chairman GOODLATTE and Ranking Member NADLER for their tireless commitment to getting something done on copyright, which ultimately got us here. I thank their staffs: Joe Keeley, Lisette Morton, and Jason Everett.

Also in this, Mr. Speaker, there is someone whom I also want to thank who, not only in this bill but in many others, epitomizes to me what is good about this institution. The Music Modernization Act has put my friend HAKEEM JEFFRIES and I in, again, a leading role and is living proof that a rural Member from northeast Georgia and a Democrat from Brooklyn can find common ground. With HAKEEM and I, we know that we can come together with good product when we have the right intentions in mind.

Senators HATCH and ALEXANDER have been champions in the Senate, where they have introduced companion legislation. Congressmen ISSA, ROONEY, and CROWLEY have all been key players, and many from different States have all taken part in this. As I have said earlier, they come from many places: David Israelite with NMPA; Bart Herbison from Nashville Songwriters Association International; Dina LaPolt, Michelle Lewis, and Kay Hanley from SONA; Beth Mathews from ASCAP; Mike O'Neill from BMI; Chris Harrison from Digital Media; Michael Beckerman from Internet Association; Mitch Glazier from Recording Industry Association of America; Todd Dupler and Darryl Friedman from Recording Academy; and others, such as Rick Carnes, Mike Huppe, Curtis LeGeyt, and many others; also my friends, one sitting behind me, MARSHA BLACKBURN as well, who has been at the forefront of this.

Mr. Speaker, before I finish up in just a little bit, I do need to thank two more, and that is my staff, who have lived with me, who have worked with me for a long time: Brendan Belair, my chief of staff, who has kept us on target; and Sally Rose Larson. You couldn't meet a better steel magnolia, who has shown herself to be such an invaluable asset during this process.

Mr. Speaker, I want to end not with the bill. We will talk about it. But what brought me to this point and what brought me to this area and why this is so important today as we move forward for generations of others: I want to take you back in time almost 40-plus years to a state trooper's kid in north Georgia whose friends were books, whose friends were music, a radio, and songs that came true. It was in there that those songs that would come out, the music and lyrics, would take me to places far away from northeast Georgia and let me travel the world long before I could even drive a car.

When we talk about copyright and we talk about the creator's spirit, it is about the creator's spirit, what comes out of their heart, that comes out of their mind, that comes through their hands and out of their mouths and into the lives that touch everyone of whom we become a part.

This is about something bigger than ourselves. And my friend HAKEEM and all the rest who have worked on this show that this place, when put properly forward, can touch the very soul of America. We have new ways of hearing that music nowadays, long past a radio. And the digital companies needed a place where they could give music to others, but songwriters needed to be fairly compensated.

When I think of my friends who write music—HAKEEM, we have talked to so many—it is about hopes, it is about dreams, it is about everything in this place. Any one of us in here would think of a song that could make us think of the first time we fell in love, the first time we had our heart broken, the first time we laid someone to rest, the first time we got that joyful noise of a new job or a new hope.

Today, Mr. Speaker, we come carrying the dreams of those who have not even yet understood a song, of those who have not yet understood a melody. We carry those dreams into the future.

And I want to thank everybody who has been a part of this, because today the song lives on, because it all begins with that emotion, with that heart, and with that melody.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. JEFFRIES), the Democratic lead sponsor of the original Music Modernization Act.

Mr. JEFFRIES. Mr. Speaker, I thank my good friend, the distinguished ranking member, for yielding, for his leadership, and, of course, to the chairman of the committee and to so many other Members: Representative ISSA, Representative ROONEY, and Representative CROWLEY and many, many others who have worked hard on this particular piece of legislation.

Of course, above all else, I want to thank my good friend and colleague, Congressman DOUG COLLINS, who has been a phenomenal leader in bringing stakeholders together from across the music ecosystem, bringing folks together from the digital industry, bringing the National Association of Broadcasters together to help us reach this moment where we have a consensus product that can ensure that the people of America and the Nation can continue to enjoy the music we have come to know and love.

Article 1, section 8, clause 8 of the United States Constitution gives Congress the power to promote and create a robust intellectual property system in order to, in the words of the Founding Fathers, promote the progress of

science and useful arts. The Founding Fathers of this great Nation understood that we should incentivize creative brilliance and incentivize innovation and, in that context, that the creator should be able to benefit from the fruits of their labor and, in doing so, will continue to share their creative brilliance with the world.

In the context of music, we know that the manner in which we have consumed music has changed over time: from vinyl to 8-track, from 8-track to cassette, from cassette to CD, from CD to downloads, from downloading to streaming. The manner in which we consume music has changed, but the underlying brilliance and beauty and creativity of that music remains the same.

Consistent with what the Founding Fathers have suggested, we need a modern-day music licensing system, and that is what the MMA will accomplish. I am thankful that it has brought together not just stakeholders and industry, but it has brought together a JERRY NADLER and a Chairman GOODLATTE, a DARRELL ISSA and a JOE CROWLEY. It has brought together a conservative Republican from Georgia and a progressive Democrat from the people's republic of Brooklyn.

Music is a unifying force. It has the power to bring us together. We should have the power to modernize our system on behalf of these brilliant creators.

Mr. GOODLATTE. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. RUTHERFORD), a member of the Judiciary Committee.

Mr. RUTHERFORD. Mr. Speaker, music has been an integral part of the fabric of our culture for hundreds of years because it can capture a moment in time and space like nothing else. You remember where you were the first time you heard that special song, and time after time, it takes you back to a moment and a place of significance in your life.

For me, Mr. Speaker, one of the most meaningful songs in my life is ''More Today Than Yesterday'' by The Spiral Starecase. It just so happens that that song signifies the bond between my wife, Pat, and I that we have shared now for over 45 years. And I can tell you, it is a priceless reminder of our lives and so many special moments together. And while we may not be able to put a price on a song's ability to transport us to a memory, we can all agree that the creators of the music we hold so dear should be fairly compensated for their craft.

That is why I am so pleased to support the Music Modernization Act, which offers a long-overdue update to our copyright laws to account for the changing ways we consume music. Songwriters, musicians, producers, engineers, and artists should all have the opportunity to receive their fair due. And I thank Chairman GOODLATTE, Ranking Member NADLER, and Representatives COLLINS and JEFFRIES for all their hard work to ensure that our copyright laws are all singing from the same sheet of music.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DEUTCH), one of the Democratic lead sponsors of this bill as well as of the Fair Play Fair Pay Act and the CLASSICS Act.

Mr. DEUTCH. Mr. Speaker, I thank the ranking member and the chairman for their leadership. I thank Congressman JEFFRIES and Congressman COLLINS for helping to shepherd the bill to this point.

It is a pleasure to vote on these much-needed consensus reforms. Consensus on copyright has been difficult. It has been difficult to forge between the various interests represented in the content and the tech communities but, fortunately, we now have consensus. Much of that has been borne out of true necessity, the technological demands of licensing tens of millions of songs and streaming services, and much of it has been borne out of basic fairness. Recording artists, songwriters, producers, and engineers deserve to be paid for their creativity and genius; and digital services deserve more certainty in their operations. The current system is broken.

As someone who cares deeply about music and the incredible people who are a part of making it and who understands the importance of the intersection of technology and creative works that benefit all American music fans, I really feel privileged to be part of this process of modernizing our copyright laws. The Music Modernization Act does not include everything that I have supported to bring fairness and 21st-century sophistication to the copyright laws, but it takes big steps forward toward those goals.

I am hopeful that, with this bill, it will help to ensure that we all continue to benefit from the amazing artists of yesterday and today and the innovative technologies that bring them into our lives.

Mr. Speaker, I urge my colleagues to support the Music Modernization Act.

Mr. GOODLATTE. Mr. Speaker, at this time I yield 2½ minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), who is from music-loving Tennessee and a great champion for the music industry and people who love music around our country.

Mrs. BLACKBURN. Mr. Speaker, what an honor it is to stand here today and to celebrate the bipartisan work that has been done on this legislation and to bring it to this point.

Indeed, this is something on which we can all agree: that the creative community, these wonderful creators, have that constitutional protection to what they create, the right to be compensated for their creation. And I am so appreciative that that has already been mentioned in this debate.

Chairman GOODLATTE said I come from music-loving Tennessee, and indeed I do. And we are so pleased that we are known as Music City and that, whether it is classical music or country or gospel, that you are going to hear music from every hill and every valley. And we treasure that creative community and protecting that product that they do create.

Now, one of the things that has happened through time: With the change of delivery systems, it has become more difficult for these artists and these creators and the support network around them, the engineers, those who work on producing this product, to be appropriately compensated. This bill, as DOUG COLLINS mentioned, has been in the works for years; and the CLASSICS Act, to take care of those who are now no longer able to tour and to make certain that they and their heirs are able to be compensated for that music that they have created.

One thing to bear in mind: Songwriters and musicians are truly small-business people. They work for themselves. Their stock and trade is their idea. And they have the right to commercialize that idea and to be compensated. The Music Modernization Act and the different bills that it brings together to update this system, to protect those copyrights, and to make certain that the creators are compensated, has been a collaborative effort.

□ 1430

Chairman GOODLATTE and Congressman COLLINS have been to Nashville several times to meet with stakeholders and to hear their stories firsthand. We are grateful for that, we are grateful for the bipartisanship, and we are very grateful for the passage of this legislation.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON), the ranking member of the Committee on the Judiciary Subcommittee on Courts, Intellectual Property, and the Internet.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of the Music Modernization Act, and I am also proud to be a cosponsor. This comprehensive music bill will help create an efficient and fair music licensing system.

Currently, streaming services have to obtain licenses on a song-by-song basis. The Music Modernization Act would reform section 115 of the Copyright Act by establishing a collective to offer blanket licenses to streaming services for mechanical rights.

Under current law, only sound recordings made after 1972 receive payments from digital radio services under Federal law. This bill would benefit legacy artists and music creators who recorded music before 1972 by establishing royalty payments whenever their music is played on digital radio.

That is why this section of the bill is supported by Dionne Warwick, Duke Fakir of the Four Tops, Tina Turner, and the estates of Miles Davis and Otis Redding, among many others. The bill provides producers a right to collect

digital royalties and provides a process for studio professionals to receive royalties for their contributions to the creation of music. This bill would, for the first time, add producers and engineers who play an important role in the creation of sound recordings to the U.S. copyright law.

Music organizations representing U.S. music publishers, record labels, songwriters, composers, artists, and performance rights organizations support this bill. The reforms made by this bill are critical because the royalty system has not kept pace with the digital age. These changes will benefit consumers, creators, and the entire music marketplace.

I urge my colleagues to vote for this bill. I commend the efforts of DOUG COLLINS, HAKEEM JEFFRIES, and Chairman GOODLATTE, as well as Ranking Member NADLER for shepherding this legislation to this point.

Mr. GOODLATTE. Mr. Speaker, may I ask how much time I have left?

The SPEAKER pro tempore. The gentleman from Virginia has 5½ minutes remaining. The gentleman from New York has 12 minutes remaining.

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

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I rise today in support of the Music Modernization Act. I am proud to be a cosponsor of this bill.

I am proud to come from the great State of Rhode Island, the State that sent the great Senator Claiborne Pell to Washington. It was Senator Pell who authored the bill that established the National Endowment for the Arts and the National Endowment for the Humanities.

Senator Pell knew that the greatness of our Nation is not only defined by the strength of our military or the value of our GDP, but by our ability to promote and protect our culture and history through the arts and humanities.

In keeping with that tradition today, Congress moves to make sure that artists and their creations are protected under the Music Modernization Act. Music has always been a part of our culture and history. The power of music has brought people together in moments of celebration and soothed people in difficult times. Music transcends political, ethnic, and religious boundaries.

The Music Modernization Act is the culmination of years of debate and negotiation with various stakeholders. We held dozens of hearings and heard from artists, producers, and industry experts to develop a solution that reflects the changing landscape of how people consume music and ensures creators are fairly compensated.

From the start, we were committed to making sure this bill was bipartisan and a compromise that everyone could support. Within the music community, this legislation brought together an unprecedented coalition of music publishers, record labels, songwriters, composers, artists, and performance rights organizations.

The result was a bill that is meant for the digital age and recognizes the contributions that many people are involved in during the creation of a song. For the first time, this bill will set up a collective that can give out blanket mechanical licenses to streaming services and ensure proper payments to songwriters and publishers.

Importantly, this bill also ensures compensation for pre-1972 artists who have been left out of the Federal copyright system for far too long. It also provides a clearer process for engineers, mixers, and producers to collect royalties.

It has been a privilege to be a part of this historic moment. I urge all of my colleagues to support the Music Modernization Act, and I want to thank Mr. JEFFRIES, Mr. COLLINS, Mr. DEUTCH, Chairman GOODLATTE, and Ranking Member NADLER for their extraordinary leadership in accomplishing what is not only significant for our committee but significant for our ability to hear and appreciate and continue to nurture our souls with the beauty of music.

Mr. GOODLATTE. Mr. Speaker, I yield 2½ minutes to the gentleman from Tennessee (Mr. ROE), another Member from music-loving Tennessee and the chairman of the Veterans' Affairs Committee.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of H.R. 5447, the Music Modernization Act, a bipartisan bill that will finally update our Nation's copyright laws and correct a terrible injustice that threatens the future of quality music.

Music has changed, perhaps, more than any other industry over the past 50 years. When the Copyright Act of 1976 was signed into law, most people got their music on a vinyl record. I still like vinyl, I might add. Today, you can instantly stream music to your phone from any number of services at the touch of a button. That Copyright Act might have been what was needed at the time, but it never could have anticipated the radical shift in how music was consumed over the past, even in the last 10 years.

For far too long, hardworking songwriters have been penalized under the old system and have been paid only pennies on the dollar for their creative works, even though their songs may have been streamed millions of times every second around the world.

Garth Brooks' iconic song, ''The Dance,'' has been streamed tens of millions of times; and the songwriter, Tony Arata, who wrote that beautiful song, was paid a few hundred dollars. That is ridiculous, and it is wrong.

Under the current system, the creative geniuses that write this music won't be able to make a living doing what they love doing, which is writing great songs. The Music Modernization Act seeks to fix this discrepancy and properly recognize the hard work these songwriters put into their craft before they simply stop writing music because they can no longer earn enough money to survive.

As a musician myself, I understand what songwriters and performers go through when getting a song out for the world to hear, and it is time we recognize the contributions the songwriters make to the creative process. This bill was supported by the entire music industry: songwriters, record labels, music publishers, streaming services, just to name a few. It isn't often that we have a truly bipartisan and widely supported piece of legislation to consider, but with this bill, we have the opportunity and can change the lives of some of our Nation's most talented people for the better.

I strongly support H.R. 5447 and encourage all of my colleagues to listen to their favorite song one more time before coming to the floor and think of the person who wrote it, think about what it means, then support this bill and truly make a difference in someone's life.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a senior member of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman very much for yielding, and I make the very point that there are three Members on this floor today from the Judiciary Committee who have an enormous amount of seniority, who have seen the long journey that our talented genius-based musical icons in our Nation have traveled to come to this point, and so I say congratulations.

In the markup, I indicated that there was a harmonious sound coming from the Judiciary Committee and that it was evident that we could work together in a bipartisan manner.

I thank the chairman, Mr. GOODLATTE, and the ranking member, Mr. NADLER, who have been intimately involved; and I am reminded of all of those who have come in and out of my office through the years as I served on the Courts, Intellectual Property, and the Internet Committee some years back and that they were still traveling even in this year, 2018.

So I applaud Mr. COLLINS and Mr. JEFFRIES for providing that musical tone. This is a very important bill. It is an important bill because it was an inconsistent patchwork that governed the industry that was in dire need of reframing, and the MMA 2018 addresses that patchwork. And specifically, under title II, it finally gives a just compensation to those artists who recorded works prior to 1972.

First and foremost, the MMA is a proposition that is supported by both the majority of songwriters and publishers and the digital service providers.

Secondly, it modernizes the process and brings music licensing into the 21st century—long overdue.

Third, it puts unclaimed royalties in the hands of the content community, rather than sitting with digital services. It streamlines the streamline.

Fourth, it finally creates a comprehensive database, and confidence grows in the market.

And for all of those individuals who provided us the joy that was earlier mentioned, it creates a formalized body run by publishers that administer the law, the mechanical licensing and compositions streamed on services like Spotify and Apple Music, and others; it changes the procedure by which millions of songs are made available; and it funds the creation of a comprehensive database, but, more importantly, it helps those who prerecord it.

My tribute to Aretha Franklin, Dionne Warwick, the late Jackie Wilson, Duke Fakir, The Shirelles, French Family in Houston, Bun B, Trae tha Truth, and the late Crickets, the Ebony singers in Houston, the Houston Grand Opera, Mrs. Barbara Tucker, End Jazz, Jason Moran, Kirk Whalum, Howard Harris, Imani children's band, Kashmere jazz band; and, of course, gospel, Kirk Clark, Kathy Taylor, Michael McCain, and Georgia Adams. Houston is a hub, Mr. Speaker, and we are celebrating because of this bill. I congratulate everyone.

Mr. Speaker, I rise in support of the Music Modernization Act of 2018 (MMA) of which I am an original cosponsor.

This bill has arrived at its current state through the diligent work of various stakeholders involved, including the music industry, congressional staff, and Members of Congress.

Hours of debate, negotiation, and deliberation have yielded a product of cooperation and compromise.

I commend the industry and the parties involved in drafting this bipartisan solution—it is rare that this committee reaches such agreements when considering major legislation.

Houston, being a music hub with its Grammy Award winning orchestra and Grammy nominated rappers including my dear friend Bun B from Underground Kingz, will certainly benefit from this legislation becoming law.

The exemplary efforts exhibited by the music industry in this instance, with the goal of solving problems and addressing a wide variety of stakeholder concerns, are a model that this committee and this Congress should use as inspiration to best serve the American people.

The need for this legislation is clear; much of the current licensing system was established in an analog era, with non-digital physical recordings done song-by-song, using compulsory licenses first established in 1909.

In addition, artists who recorded works prior to 1972 do not receive any digital performance royalties under federal law, and current statute does not ensure that non-recording artists such as producers, sound engineers, and mixers receive revenue from webcasts of their work.

The inconsistent patchwork that governs the industry is in dire need of reframing and the MMA 2018 addresses that patchwork and specifically under Title II, finally gives just compensation to those artists who recorded works prior to 1972.

With the MMA, Congress is fulfilling its duty to provide order and guidance to the faulty program currently in place.

The United States has the most innovative and influential music culture in the world, but its legal framework for music licensing dates back to the age of the Victrola.

There is a widespread perception from across the industry that this complex framework is under strain and needs updating.

The last general revision of the Copyright Act took place in 1976 following a lengthy and comprehensive review process carried out by Congress, the Copyright Office, and interested parties.

Congress significantly amended the Act in 1995, with the Digital Performance Right in Sound Recordings Act (''DPRSRA''), and 1998, with the Digital Millennium Copyright Act (''DMCA''), to address emerging issues of the digital age.

While the current Copyright Act reflects many sound and enduring principles, and has enabled the internet to flourish, it could not have foreseen all of today's technologies and the myriad ways consumers and others engage with music in the digital environment.

First and foremost, the MMA is a proposition that is supported by both a majority of songwriters and publishers and the (Digital Service Providers)—two groups who rarely agree.

Secondly, it ''modernizes'' the process and brings music licensing into the 21st century.

Instead of bulk Notices of Intention—the environmentally unfriendly process of sending actual physical letters of intent to each publisher for each share of each song—the licensing will be done electronically.

Third, it puts unclaimed royalties in the hands of the content community, rather than sitting with the Digital Service Providers.

Fourth, it finally creates a comprehensive database.

While various companies and services have a version of a database, U.S. publishers have not agreed on one that is both comprehensive and accurate.

As part of the MMA, the digital service providers will pay for the creation and maintenance of a database that will finally put all mechanical licensing information in one place that is accessible to all.

Finally, it provides streaming services with confidence that, if they follow the process, they can accurately and comprehensively license all the musical works on their service without fear of billion dollar lawsuits against them.

And confidence grows markets and boosts economy.

A number of interested music industry groups have come together to create a consensus bill that makes several major changes including: Title I—Music Modernization Act.

The Music Modernization act creates a formalized body, run by publishers, that administers the ''mechanical licensing'' of compositions streamed on services like Spotify and Apple Music (these companies are referred as Digital Service Providers or DSPs).

The bill reflects how modern digital music services operate by creating a blanket licensing system to quickly license and pay for musical work copyrights.

It changes the procedure by which millions of songs are made available for streaming on these services and limits the liability a service can incur if it adheres to the new process.

Discusses music litigation that generates legal settlements in favor of simply ensuring that artists and copyright owners are paid in the first place without such litigation.

The MMA funds the creation of a comprehensive database with buy in from all the major publishers and digital service providers.

Ends the flawed U.S. Copyright Office bulk notice of intent system that allows royalties to go unpaid.

The bill also creates a new evidentiary standard by which the performance rights organizations American Society of Composers, Authors, and Publishers (ASCAP) and Broadcast Music Incorporated (BMI) can argue better rates for the performance of musical works on DSPs.

It implements uniform rate setting standards to be used by the Copyright Royalty Board for all music services.

The bill shifts the costs of the new licensing collective created by the bill to those who benefit from the collective—the licensees.

The MMA updates how certain rate court cases are assigned in the Southern District of New York.

Title II—Compensating Legacy Artists for their Songs, Service, and Important Contributions to Society (CLASSICS) Act provides a public performance right for pre–1972 recordings.

Title III—The Allocation for Music Producers (AMP) Act ensures that record producers, sound engineers, and other creative professionals receive compensation for their work

I urge my colleagues to join me in support of the MMA.

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

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

Ms. BASS. Mr. Speaker, I rise today in support of the Music Modernization Act. I also come from one of those districts that is a hub.

After meeting with songwriters and producers in my district and listening to their testimony before the House Judiciary Committee, it is clear we risk losing the next generation of songwriters if we do not address the rate standards for digital streaming.

Recently, I met with world-renown songwriter, Paul Williams, and I have had open discussions with hundreds of songwriters from around the country. Songwriters from my district have voiced that it is nearly impossible to earn a fair income via digital streaming. They are usually not the famous performers and cannot go on tour to earn a living.

Over 50 percent of their income is derived from licensing performance rights to their music. One of my constituents, Michelle Lewis, shared that she made just $3.78 for 1.3 million streams of her work on one streaming service. As the Grammy Award winning artist and songwriter Ne-Yo stated: ''Even if you write a hit song that's streamed millions of times, you're still not going to earn enough to pay the rent from streaming. And that's where the entire industry is moving,'' which

is why I support the Songwriters Equity Act, AMP, the CLASSICS Act, and MMA.

MMA also closes a loophole, which has negatively impacted early music icons of Motown, jazz, blues, and rock and roll. According to Grammy Award winning artist Dionne Warwick: ''How could it be that 1979's 'I'll Never Love This Way Again' receive compensation, but 1969's 'I'll Never Fall in Love Again' . . . does not?''

Recently, legacy songwriter and performer Darlene Love visited my office to express her support for closing the legacy loophole. Born in Los Angeles, she was inducted into the Rock and Roll Hall of Fame in 2011. She sang backup for Elvis, Aretha Franklin, and Frank Sinatra. After decades of listening to her hard work being streamed without being compensated, with the passage of MMA, she and other songwriters will finally have access to the fair compensation they deserve.

If we are serious about supporting a next generation of songwriters, then we must continue to address antiquated, though well-intentioned, laws.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Judiciary Committee and chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I rise today to express my continued support for this legislation. A lot of hard work has gone into this legislation over the years, and the result is an unprecedented level of consensus from a broad coalition of stakeholders in the music industry who don't always agree.

□ 1445

This legislation, I think, will prove to be a great benefit to music consumers, creators, and producers alike.

The way we listen to and experience music is much different today than it was when the Copyright Act was enacted back in 1976. As a result, our copyright laws have become outdated and are, in many ways, insufficient for the music industry in the 21st century. This legislation provides much-needed updates to bring music licensing into the digital age, particularly improving market efficiencies and transparency to reflect the modern music marketplace.

So again, I thank the chairman, ranking member, and various sponsors of the underlying pieces of legislation included in this bill.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, as has been said, music is the lifeblood of culture that can transform world views, transport listeners, and inspire social movements.

Ensuring that the law keeps up with music and its changing forms is crucial. With the support of music publishers, artists, songwriters, streaming services, and other stakeholders, the Music Modernization Act will propel the music industry into the 21st century and beyond. I am proud to be an original cosponsor of the act.

I want to thank Chairman GOODLATTE, Ranking Member NADLER, as well as Representatives COLLINS, JEFFRIES, and others for their hard work on this bill.

As the Representative for California's 33rd Congressional District, these issues hit close to home. My district sits at the heart of California's music industry. It is home to thousands of brilliant songwriters, publishers, engineers, record producers, recording artists, and musicians.

I am proud to have worked with such a unique and engaged community. They make up different threads of the industry's fabric, but share a common goal of developing solutions to some of the most complex and longstanding copyright issues facing our country. Today, we honor that legacy by moving Federal music copyright forward.

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

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

Mr. NADLER. Mr. Speaker, how much time do I have remaining, please?

The SPEAKER pro tempore. The gentleman from New York has 5 minutes remaining. The gentleman from Virginia has 2 minutes remaining.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise in strong support of the Music Modernization Act. As co-chair of the Congressional Creative Rights Caucus, I am proud to stand with my colleagues to support this consensus bill that aims to modernize our copyright law.

Music is at the heart of how we experience life. We count on the right song to help us express a moment better than we could ourselves.

For music creators, their works help them support their families, keep a roof over their head, and food on the table. But, for far too long, I have heard from songwriters whose compensation was less than pennies in digital play for number one hits, and I have heard from music legends who are touring well into their seventies because their works created before 1972 are not eligible for royalties on digital broadcasts.

This bill will help bring our copyright law into the digital era and address the gaps that prevent creators from receiving fair compensation for their work. Mr. Speaker, I urge my colleagues to vote for this bill. The lives of our most treasured creators depend on it.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY), the distinguished Democratic Caucus chair and the lead sponsor of the AMP Act, which is included in this package.

Mr. CROWLEY. Mr. Speaker, I thank my friend and colleague from New York (Mr. NADLER) for yielding.

Mr. Speaker, I thank Chairman GOODLATTE, Ranking Member NADLER, Congressman DOUG COLLINS, Congressman HAKEEM JEFFRIES, and all of my friends on the Judiciary Committee for working in such a bipartisan fashion to get this important bill to the floor.

We all remember the iconic tune from the 1970s, ''I Write the Songs.'' First performed by Captain and Tennille and made popular by David Cassidy and, of course, Barry Manilow, the song encapsulates the universality of music.

While we rightly celebrate the artists and singers behind these hits and these great songs, there often are a number of individuals who work just as hard to make that song a hit. Because to make a great song, you need not just the writers and the singers, but also engineers, technicians, and producers, people like my friend Mike Clink, as well as Darrell Brown. They may not be as famous as Guns N' Roses or LeAnn Rimes, the folks they helped produce, but they are equally important when it comes to the process of making that music. But they are not often given the credit or compensation they so rightly deserve.

With this bill, that will finally change. We are making important updates to music copyright law to make sure that everyone with a role in making hits that get stuck in our heads gets paid for their fair share.

I am especially glad that my bill, the Allocation for Music Producers, or AMP Act, is included in this package. I thank my colleague across the aisle, TOM ROONEY, for working with me to help the many people who work so hard to make perfect the iconic recordings we hear every day.

This bill will, for the first time, make mention of engineers and producers in copyright law and provide a system for them to be directly paid for the hard work that they do.

As a musician and songwriter myself, I am so glad to see bipartisan agreement around these important issues. I am proud to see all of the various folks in the recording industry coalesce around these critical fixes, and I am proud to vote today in support of fair compensation for creators in the music industry.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I thank Mr. NADLER for yielding. I appreciate the work of Mr. GOODLATTE and the other sponsors, Mr. NADLER and everybody else.

This was really an issue where we showed that Congress can be productive, can get something done, working

with all of the different groups and bringing them together. It is a successful effort.

Music is very important to my hometown of Memphis, which, of course, is the hometown of Elvis Presley, where Sam Phillips put Elvis in the studio at Sun Records and produced the rock and roll that Chuck Berry and Little Richard had been playing but had not really reached a lot of people's ears. It did, and it set the world on fire. It brought a change in music and an appreciation for it.

In Memphis, we have had Isaac Hayes, who did so much; Sam and Dave; David Porter; and many, many Memphians who participated.

But I have personal friends in Warren Zevon, Jackson Browne, and J.D. Souther, who were great songwriters and performers and have not received, necessarily, their financial due as they should, and fairness, and this will get them done.

As Mr. CROWLEY mentioned, it will get engineers and producers payment for their work to help create these musical creations that people love.

Mr. Speaker, I thank all of the sponsors and appreciate the fact that I was able to participate and support it and be a cosponsor.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, my hometown of Austin, Texas, is modestly known as the ''Live Music Capital of the World.'' The title is well justified, from the South by Southwest music festival in the spring, to Austin City Limits on a couple of weekends in October. It is a wonderful place for live music.

It is the musicians and those who support them in technical ways—weekday, weekend, and in between—that make this industry so vital and who contribute so much to our local economy.

This piece of legislation is a step in the right direction. There is much more that needs to be done to ensure that our musicians and all who are involved in the creative economy get their fair compensation.

I am pleased this step is taken because these are really not only talented and creative people, but small-business people, and they deserve to have the property that they generate—their talent, their music, that adds so much joy to our lives—fairly compensated. This is a good step forward, and I certainly support the legislation.

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

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore (Mr. LAMBORN). The gentleman from Virginia has 2 minutes remaining.

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

Mr. Speaker, this is landmark legislation that has been decades in coming. We have not had a significant review of our music licensing and copyright laws in many, many, many years.

There are many people to be thanked, including the staff of the Judiciary Committee on both sides of the aisle. I particularly want to recognize Joe Keeley, who is the chief counsel of the Courts, Intellectual Property, and the Internet Subcommittee.

I also want to thank the leadership of the committee who have worked for many, many years on intellectual property issues: Shelley Husband, the chief of staff and general counsel; and Branden Ritchie, the chief counsel of the committee.

Time doesn't allow me to recognize everyone, but I especially want to recognize the Courts, Intellectual Property, and the Internet Subcommittee vice chairman, DOUG COLLINS. He and his staff have put literally hundreds and hundreds of hours into aspects of this legislation, and I want to personally thank him for that work as well.

This legislation has very strong, bipartisan support. It is supported by groups that look at intellectual property issues across the ideological spectrum, and it is nearly universally supported by the music industry, the technology companies, and others that provide the platforms on which that music is performed.

It is going to more fairly treat so many sectors of the music industry that it would be a shame not to see this legislation pass the House with a very strong, bipartisan vote, go to the Senate, pass there, and then on to the President's desk, where I have every confidence it will be signed into law.

During the course of many years of review of our copyright laws, we learned that our music licensing laws were no longer working as intended for songwriters, artists, and creators, people behind the scenes for the companies that deliver the music in innovative ways to our consumers.

The Music Modernization Act, a product of the Judiciary Committee's comprehensive copyright review, is a bipartisan bill. I urge my colleagues to join together and pass it and send it to the Senate.

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

Mrs. TORRES. Mr. Speaker, I rise in support of H.R. 5447, The Music Modernization Act. Mr. Speaker, there is broad, bipartisan agreement that current music licensing laws no longer meet the needs of creators and music providers in the digital age. Southern California has established itself as a leader in the entertainment industry, and supporting our artists and music industry is a job creator for my constituents.

This bill would address the inefficiencies in the music industry's licensing system by establishing uniformity in the licensing process. Licenses will now be managed by one entity which in turn would be paid for by the licensees. In addition to an increase in efficiency, the Music Modernization Act would foster a more transparent relationship between creators and music platforms. Information regarding music owed royalties would be easily accessible through the database created by the Music Modernization Act. This transparency will surely improve the working relationship between creators and music platforms and aid the music industry's innovation process.

Most importantly, this bill would establish a uniformed rate that would allow song writers and artists to receive fair market pay for their ideas and creations.

As a society, we value the work and products of artists, creators, and the music industry. For years now, creators, and music providers have spoken out about the outdated music licensing process and the issues they repeatedly face because of its flawed system. It is only fair that we address these inefficiencies and bring the music industries' processes in accordance with the digital age.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 5447, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

□ 1500

## PROVIDING FOR THE OPERATIONS OF THE FEDERAL COLUMBIA RIVER POWER SYSTEM

Mr. BISHOP of Utah. Mr. Speaker, pursuant to House Resolution 839, I call up the bill (H.R. 3144) to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, 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. BYRNE). Pursuant to House Resolution 839, the amendment printed in part B of House Report 115–650 is adopted, and the bill, as amended, is considered read.

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

H.R. 3144

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DEFINITIONS.**

For the purposes of this Act:

(1) FCRPS.—The term ''FCRPS'' means those portions of the Federal Columbia River Power System that are the subject of the Supplemental Opinion.

(2) SECRETARIES.—The term ''Secretaries'' means—

(A) the Secretary of the Interior, acting through the Bureau of Reclamation;

(B) the Secretary of Energy, acting through the Bonneville Power Administration; and

(C) Secretaries of the Army, acting through the Army Corps of Engineers.

(3) SUPPLEMENTAL OPINION.—The term ''Supplemental Opinion'' means the document titled ''Endangered Species Act Section 7(a)(2) Supplemental Biological Opinion'', NOAA Fisheries Log Number NWR–2013–9562, and dated January 17, 2014, which supplements, without replacing, the 2008 and 2010 FCRPS Biological Opinions and the Reasonable and Prudent Alternative contained therein.

**SEC. 2. OPERATION OF FCRPS.**

The Secretaries shall operate the FCRPS in a manner consistent with the reasonable and prudent alternative set forth in the Supplemental Opinion until the later of the following dates:

(1) September 30, 2022.

(2) The date upon which a subsequent final biological opinion for the FCRPS operations is—

(A) issued after completion of the final environmental impact statement on a record of decision for a new operations plan for the FCRPS; and

(B) in effect, with no pending further judicial review.

**SEC. 3. AMENDMENTS TO SUPPLEMENTAL OPINION.**

(a) IN GENERAL.—Notwithstanding section 2, the Secretaries may amend portions of the Supplemental Opinion and operate the FCRPS in accordance with such amendments, before the date established under section 2 if all of the Secretaries determine, in the sole discretion of each Secretary, that—

(1) the amendment is necessary for public safety or transmission and grid reliability; or

(2) the actions, operations, or other requirements that the amendment would remove are no longer warranted.

(b) RESTRICTION ON AMENDMENTS.—The process described in subsection (a) shall be the only method by which the Secretaries may operate the FCRPS during the time period established under section 2 in any way that is not consistent with the reasonable and prudent alternatives set forth in the Supplemental Opinion.

**SEC. 4. LIMITATION ON RESTRICTING FCRPS ELECTRICAL GENERATION OR NAVIGATION ON THE SNAKE RIVER.**

No structural modification, action, study, or engineering plan that restricts electrical generation at any FCRPS hydroelectric dam, or that limits navigation on the Snake River in the State of Washington, Oregon, or Idaho, shall proceed unless such proposal is specifically and expressly authorized by an Act of Congress enacted after the date of enactment of this Act. Nothing in this section affects or interferes with the authority of the Secretaries to conduct operation and maintenance activities or make capital improvements necessary to meet authorized project purposes of FCRPS facilities.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3144.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield 8 minutes to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS), the sponsor, to introduce this piece of legislation.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I thank Chairman BISHOP for yielding.

Mr. Speaker, Congress created the Bonneville Power Administration, or BPA, in 1937 on the heels of the Great Depression to distribute power generated from the development of two federally authorized dams: Bonneville and Grand Coulee Dam.

Our dams transformed Washington State from what was a barren, dry land into one of the most productive agriculture regions in the world.

These marvels of engineering also provided the Pacific Northwest with the Nation's cheapest and most reliable energy supply.

During World War II, it was the Federal power supplied by BPA that was instrumental in the ramp-up of the aluminum industry that went into Boeing's B–17s and B–29s, and powered the production of nearly 750 large ships before the end of the war.

In the words of President Harry Truman: ''Without Grand Coulee and Bonneville, it would have been almost impossible to win this war.''

In 1945, Congress authorized the construction of four large dams along the Snake River, Ice Harbor, Lower Monumental, Little Goose, and Lower Granite, to grow what we call today the Federal Columbia River Power System.

These four dams can power up to nearly 2 million homes, or a city the size of Seattle, and are crucial to meet BPA's peak loads during those hottest days in the summer when the wind doesn't blow or the coldest days in the winter when we do not have sunlight.

This year, eastern Washington had a harsh winter with many days below freezing. During the coldest days, BPA relied on the ability of these four dams to ramp up production and meet the demand.

Without a reliable base load source, I feared, and BPA confirmed, many in eastern Washington would have lost power.

It is important to look back at history when we think about BPA, the Columbia River system, and the future of energy in our region.

Last week, BPA made its 34th consecutive payment of $1.3 billion to the U.S. Treasury. They were able to do this because of the value of our region's low-cost, carbon-free energy, as a result of selling the hydropower production along the Columbia River. In fact, in Washington State, nearly 70 percent of our energy comes from hydropower.

Some argue that these dams in particular have negatively impacted migratory fish, yet these dams average fish survival rates of nearly 97 percent.

And while recent ocean impacts, which scientists call a ''blob,'' have slowed salmon just the last couple of years, more total salmon have returned this year than before the dams were actually put in place.

More than 600,000 fall Chinook are forecasted this year, many times higher than when they were first listed under the Endangered Species Act.

These record-setting fish passage rates are a result of significant Federal investments in new technologies, like fish-friendly turbines, habitat restoration, and local collaboration.

I mention the local collaboration because I want to quote the Columbia River system Adaptive Management Implementation Plan that was produced by the Department of Interior, BPA, the U.S. Army Corps, and NOAA: ''The Obama administration undertook an extensive effort to review the 2008 Biological Opinion'' and found ''the 2008 BiOp is biologically and legally sound, based on the best available scientific information, and satisfies the ESA jeopardy standard.''

Our river system also functions as a superhighway for agriculture goods. My home State of Washington is the most trade-dependent State in the country, and because of the river system, last year alone, it saved having 160,000 trucks on the roads.

This BiOp is supported by the States, by Tribes, by utilities, ports, irrigation districts, and other Pacific Northwest water users.

The need for this legislation became clear when an unelected judge rejected the collaborative work, claiming that he knows better how to manage the Columbia River than all of the scientists, Tribes, elected officials, and others that are using the river every day.

This Oregon Federal district judge invalidated the BiOp and set a course that will likely put BPA's future and the yearly investments of hundreds of millions of dollars in jeopardy.

He wants us to start at the beginning and put breaching the dams back on the table.

Electricity rates have gone up nearly 30 percent the last few years, with an average increase of 5.4 percent for 2018 and 2019. Adding unnecessary litigation and additional spill requirements only add to these costs.

For example, Judge Simon granted a spill order on April 3 that will cost an estimated $40 million to ratepayers in the Pacific Northwest. Mandating spill means that huge amounts of water will go over the dam 24 hours a day 7 days a week, instead of actually producing electricity. This spill order is experimental science that will likely increase power costs, decrease the grid's reliability, hurt habitat, and actually kill fish.

In 2028, utilities will be renegotiating their contracts, and they are making decisions now. This uncertainty is plaguing the Pacific Northwest and the Columbia River system.

As a result, I am proud of the work that we have done, coming together in

a bipartisan way to support this legislation to provide certainty. This bill will codify the current BiOp until 2022, and prevent unnecessary costs to people and ratepayers all around the Pacific Northwest. It also reasserts Congress' authority over the dams.

A hearing was held in the Natural Resources Committee last fall, and the bill recently passed out of committee with bipartisan support. Technical changes were made to ensure necessary maintenance, and improvements to the Army Corps dams would continue without interruption.

We hear the other side talk about being against the status quo, calling it illegal and an unprecedented assault on the Endangered Species Act.

Unfortunately, this narrative is misleading and it doesn't take into account the whole picture nor the success of the dams.

For example, the Port of Clarkston has seen new business from the American Queen Steamboat Company, tourism that is coming to our communities that is bringing jobs and bringing people.

This bill is a fiscally responsible alternative to the current judicial overreach that doesn't take into account all of the river users. If enacted, the certainty provided will reduce costs on the people of eastern Washington by stopping this $40 million spill experiment, encourage clean energy, lower carbon emissions, and save taxpayers $16 million, while saving fish.

Bottom line, dams and fish can coexist. After more than two decades in the courtroom, let's let the scientists, not one judge, manage our river system, and get to work to further improve fish recovery efforts.

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

Mr. Speaker, the bill we are debating today, I am sorry to say, is yet another attempt by my Republican colleagues to accelerate the extinction of our Nation's fisheries.

H.R. 3144 weakens protections for several runs of wild salmon and steelhead in the Pacific Northwest, which are extremely important to commercial, recreational, and tribal fishing interests.

This is the worst possible time for such an extreme approach. Last year, for the first time, Federal scientists surveying the Pacific Northwest salmon population came up with empty nets, and yet here we are moving a bill that will only worsen the salmon crisis.

While disappointing, I can't say today's bill is entirely surprising. In fact, this bill is just the latest attack by my Republican colleagues in their broader war on salmon and the salmon fishing industry.

We saw these same attacks on salmon when House Republicans jammed H.R. 23, also known as the GROW Act, through the House recently.

This bill sought to eliminate protection for California salmon and put California's native fisheries on the path to extinction, meaning thousands of job losses across California, Oregon, and Washington State.

House Republicans pushed the bill through even though estimates show that 78 percent of California's native salmon will be extinct this century under current trends.

Instead of trying to counter these trends, House Republicans decided it was more important to help some of their big business buddies who would rather drain our public rivers even further for private profit.

Now we are here today with another bill that harms our wild salmon and the businesses that depend on their existence.

It is no surprise that our committee received numerous letters from businesses and fishing industry groups opposed to H.R. 3144.

The committee also received several letters from guiding and outdoor retail businesses, the food industry, and from many other businesses that depend on functioning ecosystems and the Columbia Basin salmon.

Aside from being bad for many businesses, this bill also represents a troubling attack on our Nation's bedrock environmental laws and the legal process.

Since the early 1990s, Federal courts have found the Federal dam operations at the Federal Columbia River Power System endanger the existence of the Pacific Northwest salmon runs and violate our Nation's laws, including the Endangered Species Act.

As a result, Federal agents have been ordered several times to develop a new dam operation plan to recover the region's dwindling salmon populations.

Instead of requiring Federal dam operations to finally come into compliance with the law and develop a salmon recovery plan that works, H.R. 3144 locks in an outdated, illegal plan until at least 2022 that will cause great harm to wild salmon and struggling fishing communities.

Furthermore, this bill blocks recent court orders requiring additional salmon protection measures at Federal dams. It also bans Federal agencies from even studying the possible changes to dam operations that can improve salmon survival, such as increased spill.

In short, this bill causes great harm to wild salmon and many businesses, Tribes, and communities that depend on it.

Mr. Speaker, for these reasons, I urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington State (Ms. HERRERA BEUTLER), who lives in this area and knows firsthand what is taking place there.

Ms. HERRERA BEUTLER. Mr. Speaker, I thank Chairman BISHOP for yielding time for me to speak on this important legislation, and for the work his committee has been doing to support vibrant salmon runs, as well as protect low-cost, renewable, clean energy.

Leading scientists and Federal agencies, Northwest States, sovereign Tribes, and notably, the Obama administration, crafted what is known as the 2014 Biological Opinion on how the Columbia River Federal hydropower system should operate.

The BiOp, as it is called, was developed with the utmost standards of integrity and transparency, and importantly, collaboration. Conservative Republicans and the Obama administration got together and used the best available science.

Under this plan's implementation, we have seen several years of record or near record returns of adult salmon.

The plan is working, so why are we here today?

Unfortunately, in 2016, a U.S. district judge rejected the 2014 BiOp and ordered the Federal agencies start the process over, with a requirement that they look at breaching the four Snake River dams.

Here is the reality. I can't express how important this hydro system is for the entire Northwest. I have heard you couldn't match the energy produced by these dams with six or more coal-fired power plants. None of us want to return to that.

More recently, that same judge who issued the order issued a mandated spill over the Columbia and Snake River dams.

Now, spill occurs when water and young migrating salmon are shot over the dams.

□ 1515

Spill is like medicine. The right dosage can help you, but too much can harm or even kill you. The same is true for salmon.

The judge's ruling lacked scientific backing, as Federal fisheries scientists believe these spill mandates will provide little or no benefits to juvenile salmon or returning adult salmon. And as we have seen, these actions are not only in blatant contradiction to the best available science, they are also a direct attack on ratepayers, the families and small businesses, and the local economies who depend on affordable, clean, reliable energy.

Ratepayers in our region spend almost up to $1 billion a year, when all is said and done, on protecting these wild runs through science-backed spill that already takes place in other mitigation efforts. But abusive litigation robs hundreds of millions of dollars per year of hard-earned tax money from the pockets of my constituents. The price tag on the judge's spill mandates are estimated to be an additional $40 million taken from ratepayers this year.

So now we find ourselves here today needing to pass H.R. 3144 for the sake of salmon runs, for the sake of our ratepayers, and for the sake of the environment. Again, this is not a partisan bill; in fact, it is bipartisan, and

it represents restoring the Obama administration-led collaborative plan to responsibly manage our salmon populations and hydroelectric infrastructure.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield the gentlewoman from Washington an additional 30 seconds.

Ms. HERRERA BEUTLER. The exact same opponents of this bill who claim it would ''gut'' protections—I repeat, the exact same groups—asked the court to keep the 2014 BiOp in place. So, basically, before they opposed it, the bill's opponents asked to do exactly what our bill does.

So scientists, Federal agencies of jurisdiction, and, yes, at one time, even the bill's opponents have said that the agencies should operate under the 2014 BiOp while a new plan is developed.

This is a vote for listed salmon because it keeps current measures in place, and we know that they are working. This is a vote for the region's economy, and it avoids wasting millions of dollars. And this is a vote for the environment because we cannot match the clean, renewable energy produced by our hydro system.

I urge a ''yes'' vote.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS), a member of the Natural Resources Committee.

Ms. TSONGAS. Mr. Speaker, I join Ranking Member GRIJALVA in opposing this legislation and urge my colleagues to vote ''no.''

For 45 years, the Endangered Species Act has served as one of our Nation's bedrock environmental statutes. The bald eagle, the American alligator, and the gray whale are just a few examples of iconic species that have recovered from the brink of extinction thanks to the Endangered Species Act.

Despite its widely recognized success and broad support across State and party lines, today, the House is seeking to pass yet another bill that undermines this bedrock environmental law and causes irreparable harm to salmon and steelhead species, species that are already at great risk of extinction, species that play an irreplaceable role in the Pacific Northwest's ecosystem. Their presence benefits more than 130 other species, including the critically endangered Southern Resident killer whales, whose existence depends upon healthy salmon runs.

This is not just about the Pacific Northwest. Any effort to undermine the Endangered Species Act and, thereby, its protections for the species and landscapes that make our country uniquely American impacts us all.

Several Federal agencies and courts have determined that dam operations in the Columbia and Snake Rivers cause significant harm to 13 species or populations of salmon and steelhead listed under the Endangered Species Act.

Instead of allowing science-based management practices that protect both endangered species and the many users of these rivers, including hydropower generators, this legislation locks in a failing operation plan that has already been found in violation of the Endangered Species Act. Knowingly endangering the existence of salmon is in direct violation of the law and betrays the long bipartisan tradition of the Endangered Species Act.

Instead of rolling back critical safeguards and recovery efforts, we should reject this legislation and support a transparent stakeholder-driven process that protects endangered species and the many fishermen, businesses, communities, and Tribes who depend on a sustainable Columbia River.

I urge my colleagues to vote ''no'' on H.R. 3144.

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. SCHRADER), another person who lives in this area and realizes that this judicial decision is not necessarily based on science and can actually do harm to the endangered species.

Mr. SCHRADER. Mr. Speaker, I include in the RECORD the following letters from the National Rural Electric Cooperative Association, United Power Trades Organization, and the National Electrical Contractors Association.

NRECA,
*Arlington, VA, March 14, 2018.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.*
Hon. RAÚL GRIJALVA,
*Ranking Member, Committee on Natural Resources, House of Representatives, Washington, DC.*

DEAR CHAIRMAN BISHOP AND RANKING MEMBER GRIJALVA: On behalf of America's electric cooperatives, I write to express strong support for H.R. 3144 to require federal agencies responsible for the management of the Federal Columbia River Power System (FCRPS) to operate the hydropower system in a manner consistent with the current operations plan.

Fifty-four rural electric cooperatives in seven Western states receive reliable federal hydropower from the FCRPS. For this reason, NRECA opposes actions that bring continued uncertainty to the FCRPS and the Bonneville Power Administration's (BPA) future hydropower operations. For decades, there has been uncertainty over the operations of existing hydropower in the Pacific Northwest due to federal regulations, court orders and other administrative decisions. This continued uncertainty to the FCRPS continues to affect BPA's future power generation, rates and reliability in the region, and in turn the cooperative systems that depend upon it for reliable and affordable electric service to their communities.

The FCRPS is paramount to power generation in the Pacific Northwest, and to California, Nevada, Wyoming and Montana. The FCRPS is the largest source of clean, renewable electricity in the Pacific Northwest. It encompasses 31 multi-purpose federally-owned dams along the Columbia and Snake Rivers and accounts for nearly 40 percent of total U.S. hydroelectric generation. Its hydropower not only provides energy for baseload needs and peak times, but also serves as a backup generation source for intermittent wind and solar power. This gives the Pacific Northwest and our cooperatives an environmental edge unmatched elsewhere in the country—as a non-$CO_2$ emitting resource. But due to the long-standing litigation surrounding the FCRPS for Endangered Species Act-listed salmon and steelhead, there continues to be uncertainty over BPA's future hydropower operations. Specifically, BPA's fish and wildlife mitigation program continues to be a significant cost driver which adversely affects our cooperatives' abilities to provide affordable electricity.

Since 1978, BPA has committed nearly $15.9 billion to support Northwest fish and wildlife recovery. BPA's fish and wildlife mitigation program is the largest in the nation, and quite possibly the world. Each year, cooperatives and ratepayers fund BPA's habitat restoration efforts to open valuable habitat in the Columbia River estuary and tributaries, add water to streams, and support cool water temperatures. In 2012, BPA directly invested more than $450 million to address the impacts of federal dams. These activities included protecting land and water habitat, implementing projects across the Columbia River Basin, and supporting better fish passage. Specifically, BPA has made huge long-term investments in large-scale structural and operational changes to further improve existing fish passage routes as well as to provide new, safe passage structures to these dams.

Therefore, by upholding the 2014 Supplemental Biological Opinion, H.R. 3144 appropriately balances environmental and economic demands while also protecting existing hydropower resources in the Pacific Northwest. For these and other reasons, NRECA urges support for H.R. 3144 in committee and swift advancement to the House floor.

Sincerely,

JIM MATHESON,
*National Rural Electric Cooperative Association.*

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UNITED POWER TRADES ORGANIZATION,
*West Richland, WA, March 22, 2018.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.*
Hon. RAÚL GRIJALVA,
*Ranking Member, Committee on Natural Resources, House of Representatives, Washington, DC.*

DEAR CHAIRMAN BISHOP AND RANKING MEMBER GRIJALVA, I am writing on behalf of the United Power Trades Organization (UPTO) to express our support for H.R. 3144 which requires federal agencies to manage the Federal Columbia River Power System (FCRPS) in accordance with the 2014 Supplemental Biological Opinion (Bi-Op). UPTO represents over 600 blue collar employees that work at the U.S. Army Corps of Engineers dams on the Columbia-Snake River system.

Our organization is made up of not only maintenance personnel, but power plant operators who are responsible for operating the lock and dam facilities in accordance with the Bi-Op. I have been one of those operators for over 30 years and have personally seen the improvements made at our facilities that have greatly improved fish survival. It is very frustrating when outside interests persuade judicial orders that change the way we operate to the detriment of fish survival.

Contrary to misinformation that has been widely reported, spilling water over the dams has not been the primary reason for increases in fish survival through the Columbia-Snake River system. There have been many reasons that fish survival has improved including habitat restoration, better oceanic conditions and summer flow augmentation. But a major reason for improved

fish survival is the transportation program. Fish entering the generating turbine intakes are directed by rotating screens into bypass channels to fish collection facilities where they are loaded on to barges and given a free ride to below Bonneville dam where they are released back in to the river. Fish transported by barge are five times more likely to survive than those that traverse the river.

Spilling water over the dams not only costs the taxpayers millions in lost power generation, but is actually detrimental to fish survival. Fish that pass through the spillgates are not collected for transport by barge, thus less likely to survive than those that are collected. In addition, the more water that is spilled over the dams, the more supersaturation of nitrogen in the water occurs resulting in gas bubble trauma to juvenile fish. More spill just doesn't make sense in that it is costly economically, doesn't help the fish, and can even be detrimental to fish survival.

H.R. 3144 is important in that it continues programs and operating procedures that have been proven extremely successful in migrating fish survival. The Bi-Op is working and making changes make absolutely no sense. Fish returns are higher than what they were prior to the first dam built on the Columbia-Snake river system and, although hatchery fish are returning in large numbers, natural fish returns are up as well too. Fish survival through the Columbia-Snake River dams are at levels that meet or exceed those on rivers that don't have dams. The current Bi-Op is the most science-based, comprehensive and expensive effort to restore an endangered species in the nation. $1.6 billion have been invested in new technologies and, when operated according to the Bi-Op, have proven that the dams and fish can co-exist.

Continuing to operate the dams according to the Bi-Op is imperative for continued high rate of survival for migrating fish. H.R. 3144 requires that continuity and is therefore imperative to the continued high survival rate of migrating fish. UPTO urges support for H.R. 3144 in committee and swift advancement to the House floor.

Sincerely,

JACK W. HEFFLING,
*President,*
*United Power Trades Organization.*

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NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION,
*Bethesda, MD, April 21, 2018.*

*House of Representatives,*
*Washington, DC.*

DEAR SPEAKER RYAN: On behalf of the National Electrical Contractors Association (NECA), I am writing in strong support of pending energy legislation being considering by the House. NECA urges Members to vote yes on H.R. 3144—To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes, introduced by Representative Cathy McMorris Rodgers.

NECA is the nationally recognized voice of the $160 billion electrical construction industry that brings power, light, and communication technology to buildings and communities across the U.S. NECA's national office and its 119 local chapters are dedicated to enhancing the industry through continuing education, labor relations, safety codes, standards development, and government relations. NECA is committed to advocating for a comprehensive energy policy that addresses all available opportunities for energy exploration and independence.

The benefits of this legislation are clear: job creation, energy independence, and economic growth. NECA greatly appreciates the hard work that Representative McMorris Rodgers put into writing this important legislation. This will be included in the NECA Legislative Report Card for the 115th Congress. We urge all members to vote yes.

Thank you for your consideration of our views.

Sincerely,

MARCO A. GIAMBERARDINO, MPA,
*Executive Director,*
*Government Affairs.*

Mr. SCHRADER. Mr. Speaker, it is time to put science back in the decisionmaking process for Oregon and Pacific Northwest salmon recovery strategy. Rather than having the courts dictate the best way to balance Northwest fish recovery and the region's power needs, we should let the experts in U.S. Fish and Wildlife, Bonneville Power, NOAA, and NMFS lead the way. H.R. 3144 allows that to occur.

Rather than having fish policy decided by lawsuit, it simply lets the experts do their job. Quite simply, it will allow the Federal Columbia River Power System to be managed according to the 2014 Obama administration-approved biological opinion until a new BiOp can be completed in 2020.

U.S. Fish and Wildlife, BPA, NOAA, and NMFS have spent years developing recovery plans to restore habitat, encourage fish passage, and manage this fishery. Their hard work was summarily thrown out by the court in favor of continued litigation. In fact, a third—yes, a third—of our power bills in the Northwest is dedicated to fish recovery.

We have been diligent. Bonneville ratepayers have stepped up time and again. We have made strides, despite battling the effects of climate change, ocean acidification, and overfishing by foreign nations. Some things we can control, some things we cannot—like sea lion depredation, we can.

Despite the scientific evidence and warnings from Washington and Oregon Fish and Wildlife biologists that say sea lions likely account for at least 20 percent or more of adult salmon loss in the Columbia River system, we are not doing anything about it. Even our Governors agree we need to address this, and these are Democratic Governors. Let's deal with that instead of one injunction after another demanding more spill over the tops of the dams, which, as we have heard, is not based in good science.

This latest order will cost $40 million to $50 million, with the jury out on its effectiveness as to juvenile survival and subsequent adult return. Let's at least get some scientific data to see if this is a good idea. H.R. 3144 would allow that to happen.

BPA is at a crossroads. Natural gas is abundant, very inexpensive, the primary reason a lot of our coal plants are being phased out. But its low cost, coupled with more and more demands for fish mitigation, now threaten to eliminate our clean, renewable hydropower system that accounts for 50 percent of the electricity in the Northwest.

BPA simply cannot absorb more spill requirements with subsequent loss of power generation and revenue without having to curtail the very fish mitigation recovery programs the litigants want that have been helping to recover our endangered salmon. BPA is becoming quickly uncompetitive due to these escalating costs.

If they go away, what happens? It means more natural gas, more fossil fuels. It makes no sense, if your goal is balancing smart, scientific-based fish recovery with clean renewable energy, to put BPA out of business and eliminate local control that the Pacific Northwest has had on determining its own future.

The entire Northwest delegation, Republican and Democrat, worked together on this. We would like to continue to do so. We need to stop this constant litigation. Let the scientific experts steeped in fish recovery do their job.

I urge my colleagues to vote ''yes'' on H.R. 3144.

Mr. GRIJALVA. Mr. Speaker, I include in the RECORD a letter of opposition from Governor Kate Brown of Oregon, a letter of opposition to the legislation from Governor Inslee of Washington, 140 undersigned businesses from the region in opposition, the Nez Perce Tribal Executive Committee in opposition to the legislation, and over 22 environmental and outdoor organizations in opposition to the legislation.

JANUARY 22, 2018.

As Governor of the State of Oregon, I write expressing deep concerns with H.R. 3144. I am concerned this legislation would thwart federal court direction to provide additional spill at dams on the lower Columbia and Snake rivers and the collaborative state, tribal and federal process that has worked effectively to develop spill provisions for 2018. These court-ordered collaborative efforts resulted in consensus recommendations from all sovereigns, representing a positive, and unprecedented, step forward in building stronger consensus for recovery actions. H.R. 3144 would negate this progress and our ability to implement and learn from these consensus recommendations.

H.R. 3144 would also derail ongoing collaborative efforts to examine a range of potential future dam operations and salmon management options required by the National Environmental Policy Act (NEPA). The State of Oregon has engaged in good faith as cooperating agencies with federal agency leads for this Columbia Snake River Operations study. This process is vital to secure a sustainable path forward optimizing power, commerce, agriculture and fish recovery within a changing social and environmental landscape.

Through NEPA and the Endangered Species Act, Congress established processes for federal decision-making that are grounded in a robust analysis of alternatives in a systematic and science-based manner. H.R. 3144 contravenes these important principles and would disrupt the regional efforts to engage in a full, accurate and transparent analysis of salmon and dam management.

Washington Governor Inslee has expressed similar opposition to H.R. 3144. Oregonians and Washingtonians share decades of investment in recovering Columbia River salmon, and I join my colleague in asking you to oppose H.R. 3144.

Sincerely,

KATE BROWN,
*Governor.*

STATE OF WASHINGTON,
OFFICE OF THE GOVERNOR,
*Olympia, WA, December 5, 2017.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,*
*House of Representatives, Washington, DC.*
Hon. DOUG LAMBORN,
*Chairman, Subcommittee on Water, Power and Oceans,*
*Committee on Natural Resources,*
*House of Representatives, Washington, DC.*
Hon. RAÚL GRIJALVA,
*Ranking Member, Committee on Natural Resources,*
*House of Representatives, Washington, DC.*
Hon. JARED HUFFMAN,
*Ranking Member, Subcommittee on Water, Power and Oceans,*
*Committee on Natural Resources,*
*House of Representatives, Washington, DC.*

DEAR CHAIRMEN BISHOP AND LAMBORN AND RANKING MEMBERS GRIJALVA AND HUFFMAN: As Governor of the State of Washington, I write to express my deep concerns with H.R. 3144, legislation which would freeze in place a 2014 biological opinion (BiOp), or salmon management plan, for the dams composing the Federal Columbia River Power System. While the State of Washington believes the 2014 BiOp represented a step forward for efforts to protect and recover 13 stocks of threatened or endangered Columbia and Snake river salmon and steelhead, H.R. 3144 would thwart constructive ongoing efforts to improve future salmon and dam management. This would not only hurt salmon but also the recreational and commercial fisheries, tribes, and other species (such as Puget Sound's southern resident killer whales) that benefit from healthy salmon runs.

I am committed to preserving the benefits of our hydropower dams in a manner that is in balance with protecting and restoring salmon. While our dams and dam operations have been modified to reduce their impact to salmon and steelhead over the last 20 years, there is evidence that salmon may further benefit from additional modifications to dam operations that would help restore salmon populations. The State of Washington is participating in productive regional discussions about the best way to test the potential benefits of additional ''spill,'' in 2018 and potentially beyond. This discussion and learning opportunity would be blocked by H.R. 3144's prohibition on any studies or actions that restrict electricity generation at any dams in the Federal Columbia River Power System, even by a small amount.

Similarly, several Washington State agencies are engaged as cooperating agencies in the Columbia Snake River Operations study process currently being conducted, pursuant to the National Environmental Policy Act (NEPA). This process promises to provide valuable information on a range of potential future dam operations and salmon management strategies. As with the discussion regarding increased spill over the dams, H.R. 3144 would halt this learning process in its tracks, preventing a constructive dialog among federal and state agencies, tribes, and the public about how best to manage Columbia and Snake river dams in a region that must continually adapt to ongoing changes to its climate, salmon habitat, and energy system.

For these reasons, I encourage the Subcommittee on Water, Power and Oceans, the full Natural Resources Committee, and the full House of Representatives to oppose H.R. 3144.

Thank you for your consideration of my input regarding federal legislation that could have significant impacts on my state.

Very truly yours,

JAY INSLEE,
*Governor.*

APRIL 20, 2018.

MEMBERS OF CONGRESS,
*House of Representatives,*
*Washington, DC.*

DEAR MEMBERS OF CONGRESS: The 140 undersigned businesses and business associations represent commercial and recreational salmon fishermen and related businesses, guiding and outdoor retail businesses and restaurants and food industries based in the Pacific Northwest. Our businesses and the thousands of jobs that they support regionally are highly dependent on Columbia Basin salmon and steelhead. For this reason we are very concerned about salmon conservation and recovery efforts in the Columbia Basin.

We are writing to inform you of our strong opposition to HR 3144. This bill intentionally circumvents the public processes guiding operations of the Federal Columbia River Power System, application of the Endangered Species Act and recovery of salmon and steelhead resources. HR 3144 would also block recent court orders from the U.S. District Court in Portland (OR) that require additional salmon protection measures at federal dams and reservoirs on the Columbia and Snake rivers.

HR 3144 requires Congressional authorization before any additional changes or further study of changing dam operations could be taken to reduce impacts on migrating salmon. This removes the best scientific judgment of regional biologists and engineers and replaces it with a political process taking place in Washington D.C.

If passed into law, HR 3144 would prevent federal managers from operating the dams with additional fish-saving spill. Eliminating the additional spill would have negative impacts on all Columbia Basin salmon, but would put wild Snake River Brun steelhead at immediate risk of extinction; only 362 B-run fish have passed the highest dam so far this year. The additional spill recently ordered by the court is strongly supported by regional salmon biologists. It has been shown to be highly effective in increasing juvenile survival to the Pacific Ocean and the number of adults returning. One can look at the excellent returning runs of fall chinook in 2014 and 2015 and the resulting economic benefits to see why increased spill is critical in the Columbia Basin. We support the use of spill to increase salmon runs. HR 3144 caps spill at levels already determined to be inadequate and detrimental to the recovery salmon in the Columbia Basin.

We close by urging you to oppose HR 3144. Columbia Basin salmon are critical to the health of the coastal and inland economies and communities of the Pacific Northwest—including California and Alaska. Our businesses are committed to participating in processes that affect salmon and eager to work with Northwest sovereigns and stakeholders to craft lawful, science-based salmon strategies that meet the needs of imperiled salmon populations and the communities of our great region.

Thank you for your consideration of our perspective and the effect of your policies on the culture and economy of the Northwest.

Sincerely,

Glen Spain, Northwest Regional Director, Pacific Coast Federation of Fishermen's Association, Eugene, OR; Liz Hamilton, Executive Director, Northwest Sportfishing Industry Association, Oregon City, OR; Jeremy Brown, President, Coastal Trollers Association, Auburn, WA; Jeff Friedman, Co-President, Pacific Northwest Whale Watching Association, Friday Harbor, WA; Greg Mueller, President/Executive Director, Washington Trollers Association, Westport, WA; Mary Wright, President, Salmon River Outfitters Association, Salmon, ID; Scott Gudes, Vice President of Government Affairs, American Sportfishing Association, Washington, D.C.; Grant Putnam, President, Northwest Guides and Anglers Association, Tillamook, OR; Mike Hubbell, President, Santa Cruz Commercial Fishermen's Association, Santa Cruz, CA; Linda Behnken, Alaska Longline Fishermen's Association, Sitka, AK; Dustin Aherin, President, Idaho River Adventures, Inc., Lewiston and Salmon City, ID; Peter Grubb, Founder, ROW, Inc & Adventure Unbound, Inc., Spokane, WA; Mikki Waddell, Operations Manager, Main Market Co-op, Spokane, WA; Max Newland, Education and Event Coordinator, Moscow Food Co-op, Moscow, ID; Jeff Jerrett, Owner, Jarrett's Guide Service, Orofino, ID.

Tyler Nash, Owner, White Pine Gear Exchange & Guide Service, Moscow, ID; Kurt Hochberg, Owner, F/V Rogue, Crescent City, CA; Kurt Hochberg, Owner, Crescent Seafood Market and Deli, Crescent City, CA; David Blaine, Owner, Central Food, Spokane, WA; Jeremy and Kate Hansen, Owners, Island Pacific Kitchen, Sante, Common Crumb, Biscuit Wizard, Spokane, WA; Ron Richards, Owner, F/V Ocean Dancer, Port Angeles, WA; Bryan Huskey, Owner/Founder, Keep Em Wet Fishing, Boise, ID; Zachary Collier, Owner/Outfitter, Northwest Rafting Co., Hood River, OR; Mary Wright, Co-owner, Silver Cloud Expeditions, Salmon, ID; Steve Bly, Owner, Steve Bly Photography, Boise, ID; Pam Bly, Idaho Master Naturalist, Boise, ID; Jeri Sahlin, Owner, Choice Therapies, Coeur d'Alene, ID; Craig Wolfrom, Owner, Craig Wolfrom Photography, Bellevue, ID; Bonnie Schonefeld, Owner, Lochsa Connection, Kooskia, ID; Evelyn Kaide, Owner, The Guide Shop & Clearwater Drifters, Orofino, ID.

David Denning, Owner, The River Company, Stanley, ID; Dick Pool, Owner, Pro-Troll Fishing Products, Concord, CA; George Cook, President, Angler's Rendezvous, Lacey, WA; Matt Leidecker, Owner, Idaho River Publications, Ketchum, ID; Marla Lacer, Manager, AVEDA Institute, Boise Boise, ID; Link Jackson, Owner Streamtech Boats, Boise, ID; Debbi Woods, Human Resources, Manager Boise Co-op, Boise, ID; Doug Rees, President, The Guide's Forecast, LLP, Portland, OR; Bob Rees, Owner, Bob Rees' Fishing Guide Service, Portland, OR; Paul Fish, President, Mountain Gear, Inc, Spokane Valley, WA; Steve Schmrsik, Chef, Pink Door, Seattle, WA; Jim White, Executive Chef/Food & Beverage Director, Islandwood, Bainbridge Island, WA; Frank Ralph, Owner, Ocean Seafood, LLC, Fox Island, WA; Joel Kawahara, Owner/Fisherman, F/V Karolee, Quilcene, WA; John Delp, Chef/Co-Owner, Mossback Restaurant, Kingston, WA.

Nichole Curry, Owner/Fisherman, F/V Karen L, Bellingham, WA; Diana Clausen, Owner/Fishermen, Clausen Fisheries, Inc, Port Townsend, WA; Wayne Johnson, Executive Corporate Chef, FareStart, Seattle, WA; Joel Brady-Power, Owner/Fisherman, F/V Nerka, Bellingham, WA; Duke Moscrip, CEO, Duke's Seafood & Chowder, Seattle, WA; Buzz Hofford, District Manager, Bon Appétit Management Company, Seattle, WA; Renee Erickson, Chef, Sea Creatures Restaurants, Seattle, WA; Amy Grondin, Owner/Fisherman, Duna Fisheries, LLC, Port Townsend, WA; Rebecca Argo, Owner/Operator, McClure Bay, LLC, Port Townsend, WA; Jeremy Brown, Owner/Fisherman, F/V Barcole, Bellingham, WA; Marja Murray, Chef, Kiddie Academy, Seattle, WA; Michael Clausen, Owner/Fishermen, F/V Carol M, Port Townsend, WA; Paige Bloskey, Head Chef, Farestart, Seattle, WA; Dustin Ronspies, Owner/Chef, Art Of The Table, Seattle, WA; Kirsten Graham, Founder, KGPR, Seattle, WA.

Diane LaVonne, Chef/Owner, Diane's Market Kitchen, Seattle, WA; Greg Friedrichs,

Owner/Fisherman, F/V Arminta, Port Townsend, WA; Ozzie Anderson, Owner/Operator, McClure Bay, LLC, Port Townsend, WA; Karen Jurgensen, Chef Instructor, Seattle Culinary Academy/Quillisascut Farm School, Seattle, WA; Blaise Holly, President, Stormbird, LTD. (F/V Alaska), Port Townsend, WA; Tele Aadsen, Owner/Fisherman, Nerka Sea Frozen Salmon, Bellingham, WA; Brad Warren, Executive Director, National Fisheries Conservation Center, Seattle, WA; Andrew Stout, Co-Founder, Full Circle, Seattle, WA; Darren Gertler, Environmental Educator, City of Watsonville, Soquel, CA; Jessica Schuenemann, Co-Owner/President, Alder Wood Bistro, Sequim, WA; Jonathan Moore, Owner/Fisherman, F/V Ocean Belle, Port Townsend, WA; Austin Becker, Co-Chair, Slow Food Seattle, Seattle, WA; Riley Starks, Partner/Fisherman, Lummi Island Wild Co-op, Bellingham, WA; Pam Lanua Petranek, Commercial Fisherman, Cape Cleare, Port Townsend, WA; Rick Oltman, Owner/Fisherman, Cape Cleare Fishery, Port Townsend, WA; Gabriel Schuenemann, Chef/Co-Owner, Alder Wood Bistro, Sequim, WA; Charlie Hawkes, Owner/Fisherman, F/V Shake, Port Townsend, WA; Nelly Hand, Owner/Fisherman, Drifters Fish, Cordova, AK; Don Snow, President/CEO, Ocean Run Seafoods, Inc., Newport, OR; Michael McCorkle, Commercial Fisherman, SCTA, Santa Barbara, CA; Carolyn Faulk, CFO, F/V Aqua Leo, Santa Cruz, CA; Joe Barrett, Owner/Fisherman, F/V Westerner, Sequim, WA; Emily White, Co-Chair, Slow Food Seattle, Seattle, WA; Greg Atkinson, Chef Proprietor, Restaurant Marché, Bainbridge Island, WA; Rob Seitz, Owner/Operator, F/V South Bay/South Bay Wild, Inc, Astoria, OR; Joshua Abel, Owner, Catch Fly Fishing, Imaginary Trout, Spokane WA; Dan Grogan, Owner, Fisherman's Marine & Outdoor, Portland, OR; Ron Hiller, President, Active Outdoors, Tigard, OR; Randy Woolsey, VP, Tom Posey Co., Tigard, OR; Dan Parnel, President, Leisure Sales, Auburn, WA.

Scott Weedman, Owner, 3 Rivers Marine, Woodinville, WA; Jennie Logsdon Martin, Founder, Ifish, Tillamook, OR; Kevin Newell, Total Fisherman Guide Service, Woodland, WA; Lacey DeWeert, Total Fisherman Guide Service, Woodland, WA; Brad Staples, Owner, Western Fishing Adventures Ltd., West Linn, OR; Jarod Higginbotham, Yakima Bait Company, Granger, WA; Steffen Gambill, Principle, Active Outdoors, Tigard, OR; Jim Stewart, Owner, Ironwood Pacific Outdoors, Inc., Tigard, OR; Craig Mostul, Sales, Stevens Marine, Milwaukie, OR; Herman Fleishman, Owner, Northwest Fishing Adventures LLC, Tigard, OR; Harry Bresnahan, Owner, Harry Bresnahan's Guide Service, Woodland, WA; Rich & Susan Basch, Owners, Ollie Damon's, Portland, OR; Jim Elliott, Retired, L.H French Co., Woodland, WA; Michael O'Leary, Owner, Public Purposes LLC, Portland, OR; Mike Borger, President, Catcher Co./Smelly Jelly, Hillsboro, OR.

Steve Grutbo, Sales & Marketing Manager, Smokehouse Products, LLC., Hood River, OR; Trey Carskadon, Director of Marketing, O'Loughlin Trade Shows, Beaverton, OR; Earl Huff, Retired, Eagle Cap Fishing Guides, Joseph, OR; John Kirby, Ancient Mariner Guide Service, Bay City, OR; Michael Glass, Owner, Oregon, Rod, Reel & Tackle, Eugene, OR; Alex Brauer, Brand Director, Fish Marketing, Portland, OR; Greg Hublou, Owner, Bayside Guided Adventures, Tillamook, OR; William Jordan Keesler, Admin, Poulsen Cascade Tackle, Clackamas, OR; Andy Walgamott, Northwest Sportsman Magazine, Tukwila, WA; Tom Posey, Past President NSIA, Retired, Fishing Tackle Manufacturers' Rep for NW and Alaska, Portland, OR; Chris Vertopoulos, Owner, Northwest Angling Experience, Portland, OR; Levi Strayer, General Manager, Smokehouse Products, LLC, Hood River, OR; Zack Schoonover, Sales Manager, Maxima USA, Hillsboro, OR; Dany Myers, Owner, Northwest Solutions, Sammamish, WA; Skylen Freet, Owner, Skylen Freet Guided Sportfishing LLC, Sandy, OR.

Jack Glass, Owner, Hook Up Guide Service, Sandy, OR; Gerald Wooley, President and COO, Renaissance Marine Group, Inc., Clarkston, WA; Dave Strahan, Territory Sales Manager, Big Rock Sports, Clackamas, OR; Don M. New, Owner, New Landing Design, LLC, West Linn, OR; Matthew Schlecht, Owner, Bob's Sporting Goods, Longview, WA; Bill Monroe Jr., Owner, Bill Monroe Outdoors, LLC, Corbett, OR; Madelynn Sheehan, Author, Fishing in Oregon, Flying Pencil Publications, Scappoose, OR; John Daly, Owner, Fight Club Guided Fishing, Saint Helens, OR; Gabe Miller, Buyer, Far West Sports, Fife, WA; Dan Pickthorn, President, D & G Bait, Inc., Clackamas, OR; Cody Clark, Fishing Buyer, Bob's Sporting Goods, Longview, WA; Rob Bignall, Fishing Guide, Its All Good Guide Service, Sherwood, OR; Cody Herman, Owner, Day One Outdoors, LLC, Hillsboro, OR; Brent Hutchings, CEO, North River Boats, Roseburg, OR; Kelsey Marshall, President, Grounds for Change, Poulsbo, WA; Christian Zajac, Owner, F/V Serena May, Santa Cruz, WA.

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NEZ PERCE TRIBAL
EXECUTIVE COMMITTEE,
*Lapwai, ID, October 11, 2017.*

Nez Perce Tribe's Statement in Opposition to H.R. 3144.

(''A Bill to Provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes.'')

The Nez Perce Tribe is committed to restoring salmon and steelhead in the mainstem Columbia and lower Snake rivers to healthy, harvestable populations for all citizens of the Northwest and to fairly sharing the conservation burden, consistent with the United States' 1855 Treaty with the Nez Perce.

The Nez Perce Tribe opposes H.R. 3144 because it attempts to short-circuit the federal judiciary and federal appellate process with respect to providing additional spill to protect fish. The Tribe also opposes H.R. 3144 because it attempts to short-circuit the full consideration of all alternatives to redress the impacts of the Federal Columbia River Power System (FCRPS) dams on salmon and steelhead—including breaching the four lower Snake River dams.

Congress, in the National Environmental Policy Act (NEPA) and in the Endangered Species Act (ESA), established federal decision-making that is grounded in a full and complete analysis of all alternatives in an orderly, methodical and science-based process. Both NEPA and the ESA ensure that all the citizens of this Nation will have a full, accurate, and transparent analysis of the importance of salmon and steelhead to the Pacific Northwest and the Nation, the impact the FCRPS dams have on these iconic species, and the legacy we want to leave our future generations. And, both NEPA and the ESA contain mechanisms so that tradeoffs can be considered, investments in local communities impacted by decisions can be planned, and truly informed decisions can be made. H.R. 3144 runs counter to these foundational principles of sound, consistent and sustainable governance.

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AUGUST 23, 2017.

DEAR POLICYMAKER: The undersigned conservation, salmon, orca, and clean energy advocacy organizations and business associations extend our deep gratitude for your decision not to co-sponsor H.R. 3144—recently introduced by several Northwest representatives. In contrast to sponsor claims, this bill, if passed, would thwart efforts to deliver critical near-term protections for endangered wild salmon, derail the court-ordered NEPA environmental review and increase uncertainty for Northwest citizens and businesses. We ask you to actively oppose this harmful legislation to ensure that it does not become law.

Wild salmon and steelhead are a Northwest birthright. They are essential to the culture and economy of our region's Native American Tribes and support tens of thousands of non-tribal fishing jobs in urban and rural communities on the West Coast and in Idaho. Salmon also play an irreplaceable ecological role as an indicator species reflecting the health of our rivers and watersheds. Their presence benefits more than 130 other species, including critically-endangered, prey-deficient Southern Resident Orcas.

H.R. 3144 is based on misinformation, fails to recognize the important role wild salmon and steelhead play for Northwest communities and ecosystems, and would severely undermine ongoing and much-needed protection efforts. If passed into law, H.R. 3144 would reverse the May 2016 U.S. District court decision that found the federal agencies' most recent plan for managing federal dams on the Columbia and Snake Rivers violated the Endangered Species Act and the National Environmental Policy Act and would not protect wild salmon and steelhead from extinction. Three different federal judges have now rejected five consecutive Columbia Basin salmon plans over the past two decades. This failure has cost regional energy consumers and federal taxpayers more than $10 billion without recovering a single endangered salmon population.

H.R. 3144 would lock in the inadequate and illegal 2014 Columbia Basin Biological Opinion, fatally stifle the court order to complete a full, fair NEPA environmental review, and prevent an increase in spring ''spill'' (water releases over the tops of dams to improve survival of out-migrating juvenile salmon) beginning in 2018. Ordered by the court earlier this year and being collaboratively planned by the parties to the litigation this summer, spill is widely recognized by experts as our most effective immediate tool to help endangered salmon while our region develops a new, legally valid, scientifically-credible plan.

Salmon and fishing advocates share the frustration of many stakeholders with this history of costly and ineffective plans to revive culturally and economically important salmon populations in the Columbia-Snake Basin. We are ready to work with others in the region to develop a plan that protects and recovers endangered salmon and steelhead while also meeting the needs of affected interests. H.R. 3144, however, will not move our region in that direction; rather it will move us away from a real opportunity to craft a durable, responsible solution.

Thank you again for your decision not to sponsor H.R. 3144. We hope that you will actively oppose it and do everything you can to prevent this bill from becoming law.

Sincerely,

Tom France, Pacific Regional Executive Director, National Wildlife Federation. Missoula, Montana; Giulia Good Stefani, Staff Attorney for the Marine Mammal Protection Project, National Resources Defense Council, Mosier, Oregon; Robb Krehbiel, Washington State Representative, Defenders of Wildlife, Seattle, Washington; Wendy Gerlitz, Policy Director, NW Energy Coalition, Portland, Oregon; Ben Enticknap, Pacific Campaign

Manager & Senior Scientist, Oceana, Portland, Oregon; Bill Arthur, Columbia-Snake River Salmon Caucus Chair, Sierra Club, Seattle, Washington; Julian Matthews, Enrolled Nez Perce Tribal member and Treasurer, Nimipuu Protecting the Environment, Pullman, Washington; Liz Hamilton, Executive Director, Northwest Sportfishing Industry Association, Oregon City, Oregon; Jeremy Brown, President Coastal Trollers Association, Bellingham, Washington; Thomas O'Keefe, Ph.D, Pacific Northwest Stewardship Director, American Whitewater, Seattle, Washington; Wendy McDermott, Rivers of Puget Sound-Columbia Basin Director, American Rivers, Bellingham, Washington; Noah Oppenheim, Executive Director, Pacific Coast Federation of Fishermen's Associations, San Francisco, California.

Howard Garrett and Susan Berta, Directors, Orca Network, Whidbey Island, Washington State; Aaron Tam, Pacific Northwest Organizer, Endangered Species Coalition, Washington, D.C; Joseph Bogaard, executive director, Save Our wild Salmon Coalition, Seattle, Washington; Kevin Lewis, Executive Director, Idaho Rivers United, Boise, Idaho; Justin Hayes, Program Director, Idaho Conservation League, Boise, Idaho; Rich Simms, President, Wild Steelhead Coalition, Seattle, Washington; Greg Haller, Conservation Director, Pacific Rivers, Portland, Oregon; Mike Petersen, Executive Director, The Lands Council, Spokane, Washington; Tom VanderPlaat, President, Association of Northwest Steelheaders, Milwaukie, Oregon, John DeVoe, Executive Director, WaterWatch of Oregon, Portland Oregon; Ed Chaney, Director, Northwest Resource Information Center, Eagle, Idaho; Brian Brooks, Executive Director, Idaho Wildlife Federation, Boise, Idaho.

Colleen Weiler, Rekos Fellow for Orca Conservation, Whale and Dolphin Conservation, Corvallis, Oregon; Trish Rolfe, Executive Director, Center for Environmental Law & Policy, Seattle, Washington; Brett VandenHeuvel, Executive Director, Columbia Riverkeeper, Hood River, Oregon; Grant Putnam, President, Northwest Guides and Anglers Association, Clackamas, Oregon; Andrea Matzke, Executive Director, Wild Washington Rivers, Index, Washington; Miyoko Sakashita, Oceans Director, Senior Counsel, Center for Biological Diversity, Oakland, California; Bert Bowler, Director, Snake River Salmon Solutions, Boise, Idaho; Gary MacFarlane, Ecosystem Defense Director, Friends of the Clearwater, Moscow, Idaho; Bob Sallinger, Conservation Director, Audubon Society of Portland, Portland, Oregon; Michael Wells, President, Clearwater-Snake Rivers Trout Unlimited, Moscow, Idaho; Darilyn Parry Brown, Greater Hells Canyon Council, La Grande, Oregon; Chris Wilke, Executive Director, Puget Soundkeeper Alliance, Seattle, WA; Whitney Neugebauer, Director, Whale Scout, Bothell, Washington.

Mr. GRIJALVA. Mr. Speaker, I yield 4 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 and the elements that he just put into the RECORD. These are tough issues.

The Bonneville Dam, one of the elements here, is in my district. I have been involved with these issues, literally, for decades. I have watched the give-and-take.

Part of what we are facing today is the legacy of our moving in to create the Bonneville system without really knowing what we were doing when we started. There was a rich fisheries existence. Rumor had it that you could actually—people claimed you could walk across the backs of the salmon when they were spawning.

The dams implemented, good for producing energy, not good for the fishery system, both in terms of the river and the marine ecosystem that depends on it.

And it is not just the commitment to the Endangered Species Act and the environment. We are dealing here with commitments to Native Americans who have been ill-served with their treaty rights. That is one of the reasons why we have litigated this for years, because they had valid treaty rights as a sovereign people, and the United States violated them; and only recently, under the pressure of litigation, were we responsive to their needs and some changes were made.

Now, it is not just the current Federal judge. We have had objections through the Judiciary looking at some of the compromises that people have made. I understand the political pressures. I watch it in terms of the economy, in terms of transportation, in terms of Native Americans, in terms of fish and wildlife, in terms of agricultural interests.

These are difficult and troublesome efforts, and there is no good response because we have made more commitments than the mighty Columbia River can deliver on. We treat it like a machine, and we have difficulty reconciling it.

The judge in the case has found that the plan was wanting and has put in place a system for the new BiOp. This legislation is not going to stop litigation. If it passes, I will guarantee you, we will be back in court, and I think there is a very strong likelihood that, rather than moving it forward, it will delay it.

Look at the record in terms of the opponents to approaches like this on how they have fared in court. It is not a good record.

Now, I would suggest strongly that we are better served by allowing this process to go forward. Respect NEPA; respect the Endangered Species Act; respect the process that is put in place; and look at all the options.

Now, I am not saying tomorrow we are going to tear down Snake River dams, but there are lots of options short of dam removal. When we start taking things off the table, we limit our ability to meet our responsibilities under the law and under our treaty obligations and, candidly, in what is going to be in the best interest of solving a very complex issue.

I would hope that we would reject this legislation not only because I think it is ill-advised—I think it undercuts the environment, our obligations to the Native Americans, that it will delay it rather than accelerate it—but I think it provides a precedent that we don't want to have. I don't think we want to have Congress intervening in the midst of these processes.

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

Mr. GRIJALVA. I yield the gentleman from Oregon an additional 1 minute.

Mr. BLUMENAUER. Mr. Speaker, when I look at what this Congress—particularly, under Republican rule—has done trying to intervene to supersede science, to have political decisions on things that really deserve balance with the environment, with treaty rights, dealing with the long-term perspective, it is not a very encouraging record.

I strongly urge that we side with environmentalist groups, with our two Governors, with a number of us in the delegation to allow this process to work and not undercut it and put us back in court. If so, I will guarantee that we will be back here next year and the year after that with things worse rather than better.

□ 1530

Mr. BISHOP of Utah. Mr. Speaker, as one of the eight Tribes that endorse this bill said: The BiOp exceeds requirements established by the courts and by the ESA, and yet plaintiffs want more. The court should uphold the 2008 BiOp.

Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. NEWHOUSE), speaking on behalf of the eight Tribes that endorse this in his area.

Mr. NEWHOUSE. Mr. Speaker, I thank the chairman of the Natural Resources Committee for yielding time to me.

Mr. Speaker, earlier this afternoon, I had the opportunity during debate on the rule to rise and speak about this bill, as well as the great coalition of constituents and stakeholders who have collaborated to support H.R. 3144.

Some of the strongest voices are that of our local public utility districts and rural electric cooperatives across the Pacific Northwest, who have been immensely helpful in their advocacy and engagement of this legislation.

Mr. Speaker, I include in the RECORD a stack of letters and resolutions of support from these groups in Oregon, Idaho, and also my home State of Washington. I would like to express my sincere gratitude for their support as well.

BLACHLY-LANE ELECTRIC CO-OP,
*Eugene, OR, March 1, 2018.*

Re Support H.R. 3144 to Protect the Northwest's Economy, Environment, and ESA-Listed Salmon.

DEAR MEMBERS OF THE NORTHWEST CONGRESSIONAL DELEGATION: Blachly-Lane Electric Cooperative joins Northwest RiverPartners and our fellow northwest electric cooperatives in thanking you for your bipartisan opposition to misguided components of the President's FY19 budget proposal related to the Bonneville Power Administration's transmission assets and rates. We value that the delegation recognizes BPA's transmission and power generation assets as a pillar of the Northwest economy and critical to our region's carbon-free electric energy production, and your united concern for constituents in the region.

Your bipartisan commitment to protecting BPA's statutory mission and the longevity of the Federal Columbia River Power System allows us to ask you for support of H.R. 3144. The bill will protect the region's access to renewable, carbon free, and reliable federal hydropower while mitigating hydropower impacts and protecting Endangered Species Act listed salmon.

H.R. 3144 would allow the NEPA process to continue as the Court has ordered, with a comprehensive and transparent review of federal hydrosystem operations, while postponing costly and potentially harmful experimental spill and hydro operations in the interim.

BPA faces uncertainty as escalating fish and wildlife costs and related litigation negatively impact its power rates. Keeping BPA sound and competitive serves to shield the agency from political attacks coming from outside the region. H.R. 3144 provides vital near-term certainty by temporarily retaining the federal hydrosystem operations plan supported by both the Bush and Obama Administrations that was extensively vetted by independent scientists, *only* until an ongoing NEPA review process concludes in 2021.

BPA estimates the Court-ordered spill experiment could cost its power customers an estimated $40 million this year. NOAA Fisheries' Science Center modeling shows this additional spill would provide little or no added benefits to protected juvenile salmon or returning adults. The costs of this experiment to our electric cooperative members are far too great, and the outcome to fish far too negative.

If that isn't enough, the spill operations will add 840,000 metric tons of carbon emissions by removing 815 megawatts of carbon-free federal hydrosystem generation and replacing it with fossil fuels. This large loss of hydroelectric generation simply can't be replaced by increasing efficiency, intermittent wind or solar resources. The Court-ordered spill undermines Oregon and Washington's progress toward our carbon-reduction goals.

Your support of H.R. 3144 will keep scientifically recognized ESA-listed salmon protection measures in place while allowing a rational, deliberative NEPA process to generate credible data for future potential dam operations and salmon-management strategies. H.R. 3144, contrary to critics' statements, will simply allow for a much-needed ''time out'' from over 20 years of litigation and allow the federal agencies to focus their limited resources on conducting the best NEPA process possible to comply with the court's order.

Also know that the region is not in agreement on the Court-ordered 2018 spill operations. The federal Action Agencies (BPA, Army Corps, and Bureau of Reclamation), RiverPartners, Idaho, Montana, Confederated Tribes of the Colville, the Kootenai Tribe of Idaho, and the Salish-Kootenai tribe, have appealed the ruling to the Ninth Circuit. The Court-ordered spill would abandon federal agencies' best science and expertise in favor of dictating from the bench an operational ''experiment'' for the complex and crucial federal hydrosystem. That is not a proper role for any Court.

We urge members of the delegation to support this commonsense bill with a continued bipartisin spirit. Your leadership is imperative to keep BPA's hydropower generation assets affordable and to improve the agency's competitiveness as quickly as possible. Without a competitive product to transmit over the wires, BPA will be challenged to meet its important statutory obligations of providing power and protecting fish and wildlife.

Passage of H.R. 3144 is critical to help avoid BPA's current perilous trajectory and further harm to the fisheries. Modest, practical action now will help BPA avoid the economic cliff it faces. To wait and later bail out the agency could impose enormous costs on regional ratepayers and taxpayers.

Thank you for your time and thoughtful consideration of one of the most crucial issues facing the Northwest in years.

Sincerely,

JOE JARVIS,
*General Manager*.

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NORTHERN LIGHTS, INC.,
*Sagle, ID, March 9, 2018*.

DEAR SENATOR RISCH: Northern Lights, Inc. strongly supports H.R. 3144, bipartisan legislation that protects the Northwest's access to renewable, clean and reliable federal hydropower while mitigating hydropower impacts and protecting ESA listed salmon. We urge you to advance H.R. 3144 as part of the Fiscal Year 2018 appropriations bill or any other legislation considered this Congress.

BPA is in a precarious financial situation with a rate trajectory that is unsustainable. If this unsettling trend continues, BPA will not be competitive with alternative power supply choices in the region when it seeks customer contract renewal in 2028. While we greatly value the carbon free, flexible hydropower resources that BPA provides, as an electric cooperative, we have a responsibility to deliver power to our members at an affordable rate whether that comes from BPA or elsewhere.

Although BPA's power rates are influenced by a variety of cost-drivers, one of the largest variables is fish and wildlife program costs. Along these lines, we are particularly concerned about ESA-driven litigation over federal hydro system operations that has plagued our region for almost 20 years. Most recently, as a result of legal proceedings in the U.S. District Court for the District of Oregon, a federal judge has ordered a spill experiment that could cost BPA power customers an estimated $40 million just this year. Yet federal modeling shows that this additional spill would provide little or no added benefit to protected juvenile salmon or returning adults. This is particularly troubling to a consumer-owned power community that remains committed to funding the largest mitigation for threatened species in the nation.

As stewards of the Columbia River, it is our collective responsibility to get off the sidelines and identify practical solutions to tough problems. H.R. 3144 is just that, it would provide much needed relief from the endless litigation by temporarily keeping in place a 2014 biological opinion built on the best available science from two consecutive Administrations (Bush and Obama). We are pleased that this biological opinion has resulted in improved salmon survival at dams due to changes in operations and the installation of new fish passage technologies. Retaining the 2014 biological opinion also allows the federal agencies to focus on the court-ordered NEPA environmental review process without being distracted by litigation.

Let's take a time out from the courtroom and rally around a practical solution. On behalf of Northern Lights, Inc. we urge you to support H.R. 3144.

Sincerely,

ANNIE TERRACCIANO,
*General Manager,*
*Northern Lights, Inc.*

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SALMON RIVER
ELECTRIC COOPERATIVE, INC.,
*Challis, ID, August 25, 2015*.

DEAR MEMBERS OF THE NORTHWEST CONGRESSIONAL DELEGATION: This letter is submitted by Salmon River Electric Cooperative, Inc. We are a small rural electric cooperative located in central Idaho. We distribute electricity to 2700 electric accounts over eight hundred miles of distribution lines. Our economy is made up of ranching and agriculture, mining, recreation and tourism, and public land management. Ninety-eight percent of the lands around us are public lands. This leaves very little tax base to operate our local economies. Low cost, clean, environmentally safe and carbon free, and reliable electricity has been and will remain critical to the lives of our member owners. We were pleased to see the congressional delegation recently join together in a bipartisan manner to oppose ill-advised components of the President's FY19 budget proposal related to the Bonneville Power Administration's (''BPA'') transmission assets and rates. At a time defined by partisan rancor, it is refreshing that our elected officials are able to unite to protect constituents in the region and recognize that BPA's transmission and power generation assets are the backbone of the Northwest economy and the mainstay of our region's carbon-free electric energy production.

This ongoing bipartisan commitment to protecting BPA's statutory mission and the longevity of the Federal Columbia River Power System (''FCRPS'') is why we are asking you to support legislation introduced in the House (H.R. 3144) that would protect the region's access to renewable, carbon free, and reliable federal hydropower while mitigating hydropower impacts and protecting Endangered Species Act (''ESA'') listed salmon. This commonsense legislation temporarily keeps in place a federal hydrosystem operations plan supported by both the Bush and Obama Administrations. and was extensively vetted by independent scientists, only until an ongoing NEPA review process is concluded in 2021. H.R. 3144 would allow the NEPA process to continue as the Court has ordered, with a comprehensive and transparent review of federal hydrosystem operations, while postponing costly and potentially harmful experimental spill and hydro operations in the interim.

Sincerely,

KEN DIZES.

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BENTON PUD,
*March 13, 2018*.

Re Support H.R. 3144.

DEAR MEMBERS OF THE WASHINGTON STATE CONGRESSIONAL DELEGATION: On behalf of Benton PUD customers, we urge you to support H.R. 3144 that protects the hydro system and the benefits it brings to the region through clean, renewable and affordable power.

H.R. 3144 provides relief in the endless litigation of federal hydro system operations by directing the federal agencies to implement the current Biological Opinion that has been vetted and supported by previous presidential administration's top scientists and resulted in wild salmon numbers trending significantly upward due to changes in operations and the installation of new passage technologies.

Over the years of the operation of the Federal Columbia River Power System (FCRPS), Northwest electric ratepayers have invested over $16 billion on infrastructure and fish enhancement efforts. We are appreciative of the countless efforts that have already been made within the FCRPS operations to improve juvenile fish passage survival.

H.R. 3144 allows the court ordered NEPA process to continue with a comprehensive and transparent review of federal hydrosystem operations, while postponing costly and potentially harmful experimental spill operations in the interim.

As Commissioners of public utilities located in the heart of the Northwest, we strongly believe that we can achieve our goal to balance the needs of healthy salmon and steelhead populations with the imperative to preserve a valuable hydropower system that is integral to our region's quality of life. To do so, we must provide stability and certainty to management of the FCRPS and fish recovery efforts.

The legislation is needed to protect the Snake River dams and the renewable, carbon-free, affordable and reliable hydropower provided to our customers and the customers across the region.

Sincerely,

COMMISSIONER BARRY BUSH.
COMMISSIONER LORI SANDERS.
COMMISSIONER JEFF HALL.

RESOLUTION NO. 2413

(July 25, 2017)

SUPPORTING H.R. 3144 FEDERAL LEGISLATION ADDRESSING THE FEDERAL COLUMBIA RIVER POWER SYSTEM BIOLOGICAL OPINION

Whereas, Customers of Public Utility District No. 1 of Benton County, Washington, hereinafter referred to as ''the District'', receive 77 percent of their electricity from the Federal Columbia River Power System (FCRPS); and

Whereas, Hydropower provides 70 percent of Washington State's renewable, affordable and reliable electricity and 60 percent of the Pacific Northwest's electricity with the majority of the power produced by the FCRPS; and

Whereas, Hydroelectric dams also provide many benefits to the region, including flood control, navigation, irrigation, and recreation; and

Whereas, Federal legislation requires the federal agencies responsible for the management of the FCRPS (Bonneville Power Administration (BPA), Army Corps of Engineers, Bureau of Reclamation) to operate the hydro system in compliance with the Biological Opinion (BiOp) approved by NOAA Fisheries in 2008/2010 and supplemented in 2014; and

Whereas, The FCRPS BiOp has successfully improved fish runs including 97 percent of young salmon successfully making it past the dams proving that both dams and fish can coexist; and

Whereas, BPA has spent $15.28 billion in total spending on infrastructure and fish mitigation projects since 1978; and

Whereas, Despite the success of the current FCRPS BiOp, in March 2017, the United States District Court for the District of Oregon (Court) directed the federal agencies to undertake a comprehensive review of hydro operations under the National Environmental Policy Act (NEPA) and strongly urged the federal agencies to include analysis of the removal, bypass or breaching one or more of the four lower Snake River dams; and

Whereas, H.R. 3144, ''To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time'', was introduced in the United States House of Representatives to ensure the FCRPS BiOp remains in effect until 2022;

Whereas, The federal legislation would continue federal hydro operations through September 30, 2022, or until the court-ordered, comprehensive environmental NEPA process concludes, a new BiOp is in place, and judicial review is complete; and

Whereas, The federal legislation would prohibit studies, plans or structural modifications at the dams which would impair hydroelectric power generation or navigation on the Columbia River.

Now, therefore be it hereby resolved That the Commission of Public Utility District No. 1 of Benton County, Washington, (''District'') supports federal legislation H.R. 3144 introduced to ''provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time'';

Be it further resolved that the District supports this legislation as it:

1. Offers a creative solution that is good for both listed salmon and the economy of the Northwest and Benton County.

2. Provides relief in the endless litigation of federal hydro system operations by directing the federal agencies to implement the current federal salmon plan, known as the 2014 Supplemental BiOp. This BiOp was vetted and supported by the previous presidential administrations' top scientists and has resulted in wild salmon numbers trending significantly upward due to changes in operations and the installation of new passage technologies.

3. Provides time for the federal agencies to complete the court-ordered NEPA environmental review process analyzing federal hydro system operations and focuses the general agencies limited resources on getting that process right. Without the legislation, the agencies would be compelled to author a new 2018 BiOp without the benefit of the new science and public input provided by the comprehensive NEPA review.

4. Avoids experiments or spill tests at the eight Columbia and Snake River dams, and studies and modifications at the dams which would restrict electrical generation, which would create uncertainties in BPA's power costs and supply and raise Northwest electric customers' rates.

Adopted at an open meeting as required by law this 25th day of July, 2017.

UNITED ELECTRIC CO-OP INC.,
*Washington, DC, February 27, 2018.*

Re H.R. 3144 To provide for operations of the Federal Columbia Power System pursuant to a certain operation plan for a specified period of time, and for other purposes.

DEAR SENATOR RISCH: On behalf of the membership of United Electric Co-op, Inc. (United Electric), I am once again writing to seek your support to help pro-actively preserve the economic value of the Federal Columbia River Power System and its multiple uses: flood control, power generation, irrigation, navigation and commerce and recreation. United Electric serves 6,400 meters in portions of Minidoka and Cassia counties in Southern Idaho and purchases its wholesale power supply from the Bonneville Power Administration.

As you know, the Bonneville Power Administration has been plagued by litigation over the biological opinion which has been vetted through three administrations and was updated in 2014 by the Obama Administration, referred to as the 2014 Supplemental Biological Opinion. Judges in Oregon have ignored science, the experts in the industry, and NOAA's top scientists in what appears to be agenda driven rulings.

This common sense legislation temporarily keeps in place the 2014 Biological Opinion's hydro system operations and allows the court ordered NEPA process to continue with a comprehensive and transparent review, while postponing costly and potentially harmful experimental spill operations in the interim.

Please see the attached Resolution adopted by the Board of Directors of United Electric in support of H.R. 3144. United Electric supports the proposed legislation and encourages you to join the bipartisan effort. H.R. 3144 is very important legislation to the Pacific Northwest's public power, agriculture, inland port and business communities.

Thank you,

JO ELG,
*General Manager.*

RESOLUTION

(October 23, 2017)

SUPPORTING H.R. 3144 FEDERAL LEGISLATION ADDRESSING FEDERAL COLUMBIA RIVER POWER SYSTEM BIOLOGICAL OPINION

Whereas, Members of United Electric Co-op, Inc., Idaho, receive 94% percent of their electricity from the Federal Columbia River Power System (FCRPS); and

Whereas, Hydropower provides 60 percent of the Pacific Northwest's renewable, affordable and reliable electricity which the majority of it is produced by the FCRPS; and

Whereas, hydroelectric dams also provide many benefits to the region, including irrigation, flood control, navigation, and recreation: and

Whereas, federal legislation requires the federal agencies responsible for the management of the FCRPS (Bonneville Power Administration (BPA), Army Corps of Engineers, Bureau of Reclamation) to operate the hydro system in compliance with the FCRPS Biological Opinion (BiOp) approved by NOAA Fisheries in 2008/2010 and supplemented in 2014, and

Whereas, The FCRPS BiOp has successfully improved fish runs including 97% of young salmon successfully making it past the dams proving that both dams and fish can coexist; and

Whereas, BPA has spent $15.28 billion in total spending on infrastructure and fish mitigation projects since 1978; and

Whereas, Despite the success of the current FCRPS BiOp, in March 2017, the United States District Court for the District of Oregon (Court) directed the federal agencies to undertake a comprehensive review of hydro operations under the National Environmental Policy Act (NEPA) and strongly urged the federal agencies to include analysis of the removal, bypass or breaching one or more of the four lower Snake River dams; and

Whereas, H.R. 3144, ''To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time'', was introduced in the United States House of Representatives to ensure the FCRPS BiOp remains in effect until 2022, and

Whereas, The federal legislation would continue federal hydro operations through September 30, 2022 or until the court-ordered, comprehensive environmental NEPA process concludes, a new Biological Opinion is in place and judicial review is complete, and

Whereas, The federal legislation would prohibit studies, plans or structural modifications at the dams which would impair hydroelectric power generation or navigation on the Columbia and Snake Rivers; and

Now, therefore be it hereby resolved by the Board of Directors of United Electric Co-op, Inc., Idaho, supports the federal legislation identified as H.R. 3144 which was introduced to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time;

Be it further resolved that United Electric supports this legislation as it:

1. Offers a creative solution that is good for both listed, salmon and the economy of the Northwest and Cassia and Minidoka Counties.

2. Provides relief in the endless litigation of federal hydro system operations by directing the federal agencies to implement the

current federal salmon plan, known as the 2014 Supplemental BiOp. This BiOp was vetted and supported by the Obama Administration's top scientists and has resulted in wild salmon numbers trending significantly upward due to changes in operations and the installation of new passage technologies.

3. Provides time for the federal agencies to complete the court-ordered NEPA environmental review process analyzing federal hydro system operations and focuses the general agencies limited resources on getting that process right. Without the legislation, the agencies would be compelled to author a new 2018 BiOp without the benefit of the new science and public input provided by the comprehensive NEPA review.

4. Avoids experiments or spill tests at the eight Columbia and Snake dams, and studies and modifications at the dams which would restrict electrical generation, which would create uncertainties in BPA's power costs and supply and raise Pacific Northwest electric customers' rates.

Adopted as a non-binding Resolution for the purposes recited herein at a regularly scheduled meeting of the Board of Directors this 23rd day of October, 2017.

Mr. NEWHOUSE. Mr. Speaker, many advocates for the environmental lobby claim to be pro-science, but it is clear that far too often they only rely on that science when it is convenient.

The spill order mandated by this judge could have harmful effects on the very fish species the BiOp was created to protect, and yet my colleagues in opposition to this bill say that we are the ones trying to hurt the fish.

Federal agencies and scientific experts warn of the risks these spill mandates can place on the fish. We should listen to these experts. We should support science. Now is not the time to be pushing ideology. Now is the time to be pushing pro-science pragmatism to both save our salmon and save our dams.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. LOWENTHAL), the ranking member of the Natural Resources Committee.

Mr. LOWENTHAL. Mr. Speaker, endangered salmon are not the only species that H.R. 3144 puts at risk. By removing critical protections for salmon runs, this bill would also push one of our most treasured whale species closer to extinction.

As pointed out by Congresswoman TSONGAS, the Southern Resident killer whales are critically endangered. In fact, there are only 76 of them that are left. These whales depend upon healthy and abundant salmon populations for survival. More than 50 percent of their diet comes from Chinook salmon in the Columbia River basin. Without access to these wild salmon populations, Southern Resident killer whales are literally starving to death.

In order to save both of these iconic species, we cannot undermine important habitat restoration efforts or improvements in dam operations, both of which are essential to promoting survival in the river systems where these salmon spawn. Unfortunately, H.R. 3144 would do just the opposite.

In addition, the Southern Resident killer whales provide immense economic benefits to the Pacific Northwest. Whale watching is a major tourist attraction in Washington and has contributed an additional $65 million to the State's economy each year.

Losing these killer whales would not only have an irreversible effect on the marine ecosystem, it would be a huge blow to the tourism industry and to the local businesses that rely on their survival.

H.R. 3144 may be known as the Salmon Extinction Act, but, frankly, we should tack on Southern Resident killer whales to that name. Without access to waters beyond the Snake River dams, salmon populations will continue to plummet, and without salmon, the Southern Resident killer whales will die.

The fate of both these species rests in our hands. I urge my colleagues to stand with me and stand with the whales and vote against H.R. 3144.

Mr. BISHOP of Utah. Mr. Speaker, unfortunately, NOAA did a study which simply said that the hatchery production of salmon in this area more than offsets any loss that comes from the dams. So even though we have this issue of an endangered species trying to eat another endangered species, which one are we going to support.

I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), who is a member of our committee who understands this particular issue.

Mr. LAMBORN. Mr. Speaker, I thank the gentleman from Utah for his leadership.

Mr. Speaker, H.R. 3144, introduced by Mrs. MCMORRIS RODGERS of Washington, was considered by the subcommittee I chair, Water, Power, and Oceans. It looks to provide certainty and reliability to the Federal Columbia River Power System in the Pacific Northwest. This system includes four large dams in the lower Snake River in Washington State that provide the region with a number of benefits, including renewable emission-free hydropower.

Despite all of these benefits, the power system has been mired in third-party litigation for decades. Some litigious groups have focused their efforts on removing the four dams in the Lower Snake under the false assumption that it will improve endangered species. In reality, however, these dams already have survival rates for salmon in the upper 90th percentile.

Most recently, a Federal court ordered round-the-clock spillover of the Columbia and Snake River dams that went into effect last week. These additional spills will do little to help the fish species, and in reality, do nothing more than leave the region's ratepayers to foot a spill surcharge estimated to cost up to $40 million per year.

This bill ensures that the power system is operated in accordance with the current operations plans until certain reasonable targets are met. It was found to be legally and scientifically sound by the Obama administration, and has resounding support among stakeholders in the region.

We need to ensure that science is guiding the operations of the power system and not judicial orders and special interest ideologies. We need a consensus approach by local stakeholders, not a mandate imposed by judicial fiat.

This bipartisan bill is supported by trade unions, the Farm Bureau, regional stakeholders, and a number of public utility districts.

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

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HUFFMAN), vice ranking member of the Natural Resources Committee.

Mr. HUFFMAN. Mr. Speaker, I thank the gentleman from Arizona for yielding me time.

Mr. Speaker, today we are being asked to pass yet another bill that undermines the Endangered Species Act and accelerates the extinction of our Nation's fish and wildlife.

Specifically, H.R. 3144, the Salmon Extinction Act, undermines protections for several runs of wild salmon and steelhead in the Pacific Northwest.

The Northwest's iconic salmon runs are extremely important to commercial, recreational, and Tribal fishing interests across the country.

My Republican colleagues are pushing this bill even though the region's salmon runs are currently at crisis levels.

Recently, we have even seen reporting that, for the first time, Federal scientists who were surveying Northwest salmon populations came up with empty nets.

And yet, here we are today, advancing a bill that will do nothing but accelerate our Nation's existing salmon declines.

The bill also represents a troubling attack on the legal process. If enacted, it would overturn legally sound court decisions simply because the bill's sponsors don't like them.

Instead of following the law, this bill forcibly mandates the use of an outdated illegal salmon recovery plan for the Federal Columbia River Power System.

The recovery plan in question has clearly been found by the courts to violate the law and the Endangered Species Act. It is illegal, and Congress, through this bill, would be saying: Do it anyway.

I should note that this bill also undermines one of our Nation's other bedrock environmental laws, the National Environmental Policy Act, or NEPA, by barring a host of actions that could potentially recover this region's salmon runs, which are currently, again, on the brink of extinction.

The sponsor of this bill and I do agree on one thing, however. When talking about this bill, Representative MCMORRIS RODGERS recently said that dams and fish can coexist, and I too think that is possible.

The debate here is not about dams versus no dams. The debate is about striking the appropriate balance between responsible hydropower development and sound fisheries protection.

For too long, there has been an imbalance when we consider these issues. Our country built thousands of dams in the 20th century before we even realized the harm that can be caused to our Nation's fisheries.

So today, we are left with many legacy, low-value dams that don't justify their cost and their impacts to our Nation's fishery and natural resources.

So as we consider what to do about these older, low-value dams, our decision making must be guided by the best available science and a consideration of all available options, not what politicians in Congress want.

Unfortunately, this bill takes us in the wrong direction by blocking responsive science-based fisheries management. It would actually lock in a disastrous status quo until at least the year 2022; a status quo that is expensive, illegal, and inadequate; an approach that causes great harm to wild salmon, struggling fishing communities, Tribes, and energy consumers. The status quo is not working.

This bill says: Keep doing it anyway.

It is time for Federal agencies to pursue new, innovative solutions that are better for both fisheries and hydropower generation. This bill pushes a one-sided divisive approach that will only cause further harm.

That is why it is opposed by the Governors of both Washington and Oregon, by Tribal interests, by hundreds of businesses that depend on healthy salmon runs, and also by numerous conservation organizations.

Mr. Speaker, I urge my colleagues to vote ''no.''

Mr. BISHOP of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, I rise in support of the bill offered by Congresswoman MCMORRIS RODGERS.

This is a great piece of legislation that supports smart hydroelectric operation, a stable and integrated energy grid, and above all, reinforces that the United States Congress has a vested interest in ensuring it, Congress, rather than the judiciary, promulgates Federal policy.

H.R. 3144 keeps in place the operational plan, developed by consensus through multiple agency processes and based in the best available science, for four dams in Washington State which have wrongfully come under siege recently due to an arbitrary court order by a judge in Oregon.

In general, continuing to lean on hydropower as a long-term component of our Nation's electrical grid is an absolute no-brainer. Hydropower is a clean source of energy, and its reliability and cost effectiveness are just a few of the reasons it enjoys the stature it has today.

It needs to maintain that stature, including the requirement of careful science-based policy crafting when changes to hydroelectric policy are in question if we are to guarantee a reliable energy future for our country.

But if overzealous special interest groups have their way, we would immediately begin deconstructing and destroying all our dams across the country. To their mindset, dams are not natural parts of the landscape and, therefore, represent a most serious threat to the planet. To them, changes to the natural landscape are anathema, despite the fact that the only real constant on our planet and in the environment is change itself.

The judges's order in this case in question is, unfortunately, in keeping with this very same mindset. This is not a stretch to say because he, in fact, fails to rely on the only available and complete science that informed past decisions concerning the Federal Columbia River Power System.

These past decisions, keep in mind, included the Obama administration's green-lighting of the current operation plan in 2014 that the judge seeks to overturn with his spill order.

What the judge did in this case was to take it upon himself to depart from agency consensus based on sound science and ordered changes to the operation plan of the power system just because he wanted to.

He ordered this major policy change first, which will cost electricity customers in the region $40 million annually, by the way, and pegged future changes to the outcome of a NEPA review which is just getting underway.

But the only grounds for so radical a policy change would be if the NEPA review in question called for those changes when it is finally finished. The judge doesn't know what the outcome of the NEPA review will be, obviously, because it is still being conducted.

□ 1545

He made his decision without basis, and now the country is supposed to pay for it. Some of my colleagues on the other side of the aisle constantly rail about how they oppose bills and proposals and prevent the National Environmental Policy Act review process from being carried out.

H.R. 3144 also allows continuation of a court-ordered national NEPA review process. If my colleagues practice what they preach, then they would support this bill as it allows the NEPA review process to be carried out. Congress has an obligation to remind everyone involved that we are the constitutionally authorized policymakers and that we choose to make policy and require agency decisionmaking on the basis of sound science.

This bill will keep the current operation plan in place until 2022, unless the NEPA process review finishes first, at which point the NEPA-supported plan would commence. This bill abides by the proper statutory NEPA process, even though the judge's order fails to do that.

As stated by the Public Power Council, H.R. 3144 allows a court-ordered NEPA process to continue without avoiding a costly and potentially harmful spill experiment. The fear is that without this legislation, a spill regime will be put in place that increases regional power costs while providing no apparent benefit to the fish it purports to help.

What is perhaps most crucial to keep in mind during this whole debate is the broader significance of this bill to any Member who has a major public works infrastructure operating in their district. Without this bill, it is possible that this judge's terrible precedent could stand. At that point, nothing stands in the way of an activist judge across the country waking up one day and deciding to put a halt to a whole slew of public works infrastructures which makes this country tick.

H.R. 3144 is absolutely necessary to establish congressional intent. Sound process must win the day over the capriciousness of any given activist judge or his political leanings.

Mr. Speaker, I include in the RECORD letters of support from the local public utility districts on behalf of H.R. 3144.

PEND OREILLE COUNTY
PUBLIC UTILITY DISTRICT,
*Newport, WA, April 24, 2018.*

Hon. CATHY MCMORRIS-RODGERS,
Hon. DAN NEWHOUSE,
*House of Representatives, Washington, DC.*

DEAR REPRESENTATIVES MCMORRIS-RODGERS AND NEWHOUSE: On behalf of the Public Utility District No. 1 of Pend Oreille County we greatly appreciate the support you have shown for hydropower and, more specifically, the Federal Columbia River Power System (FCRPS) with the recent introduction of H.R. 3144. This bill supports the hydro system and the many benefits it brings to the region through renewable, reliable and affordable power.

Despite the success of the current FCRPS Biological Opinion (BiOp), the plan has been rejected with a ruling that all options need to be reviewed including breaching or removing one or more of the four Snake River dams.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science, has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

The Bonneville Power Administration has spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. Their bills are already higher by at least 15 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families and businesses and likely to be more detrimental to the fish runs than helpful. Your legislation will bring an end to the wasteful activities.

This is particularly important for Pend Oreille PUD as our largest industrial customer Ponderay Newsprint is a large consumer of BPA power for its operations. The

unnecessary spending and additional mitigation costs continue to put jobs at stake in our rural communities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

F. COLIN WILLENBROCK,
*General Manager.*

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WAHKIAKUM PUD,
*Cathlamet, WA, April 23, 2018.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: On behalf of the Public Utility District No. 1 of Wahkiakum County we greatly appreciate the support you have shown for hydropower and, more specifically, the Federal Columbia River Power System (FCRPS) with the recent introduction of H.R. 3144. This bill supports the hydro system and the many benefits it brings to the region through renewable, reliable and affordable power.

Despite the success of the current FCRPS Biological Opinion (BiOp), Judge Simon, U.S. Western District, Court of Oregon, rejected the plan and ruled all options need to be reviewed including breaching or removing one or more of the four Snake River dams.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science, has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

The Bonneville Power Administration has spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. Their bills are already higher by at least 15 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families and businesses and likely to be more detrimental to the fish runs than helpful. Your legislation will bring an end to the wasteful activities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

DAVID R. TRAMBLIE,
*General Manager.*

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DOUGLAS COUNTY PUBLIC
UTILITY DISTRICT,
*East Wenatchee, WA, April 24, 2018.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: On behalf of Douglas County PUD we greatly appreciate the support you have shown for hydropower and, more specifically, the Federal Columbia River Power System (FCRPS) with the recent introduction of H.R. 3144. This bill supports the hydro system and the many benefits it brings to the region through renewable, reliable and affordable power.

Despite the success of the current FCRPS Biological Opinion (BiOp), Judge Simon, U.S. Western District, Court of Oregon, rejected the plan and ruled all options need to be reviewed including breaching or removing one or more of the four Snake River dams.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science, has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

The Bonneville Power Administration has spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. Their bills are already higher by at least 15 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families and businesses and likely to be more detrimental to the fish runs than helpful. Your legislation will bring an end to the wasteful activities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

GARY R. IVORY,
*General Manager.*

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REPRESENTATIVE NEWHOUSE: I wanted to reiterate to you one more time how important the bill you co-sponsored, H.R. 3144, is to Franklin PUD and our customers. We hope the bill gains positive traction this week and advances to the House Floor.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science, has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

The Bonneville Power Administration has spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. For Franklin PUD customers, their bills are already higher by at least 15–18 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families, businesses, and Franklin PUD customers, and is likely to be more detrimental to the fish runs than helpful. Your legislation will bring an end to the wasteful activities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead. Thanks again for coming to the Tri-Cities this month to hear our customers issues regarding ag, irrigation and fish, that are all impacted by the continuance of this spill that is not required.

DEBBIE BONE-HARRIS,
*Sr. Manager, Public Affairs,*
*Franklin PUD.*

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RESOLUTION NO. 8860

A RESOLUTION SUPPORTING H.R. 3144 FEDERAL LEGISLATION ADDRESSING COLUMBIA RIVER POWER SYSTEM BIOLOGICAL OPINION

Recitals

1. The state of Washington is the leading U.S. producer of hydropower, routinely contributing more than one-fourth of the nation's total net hydroelectric generation;

2. Hydropower accounts for between two-thirds and four-fifths of Washington's electricity generation, providing renewable and inexpensive electricity to the region's farms, homes, businesses, schools and industries;

3. The Bonneville Power Administration (BPA), U.S. Army Corps of Engineers and the Bureau of Reclamation are responsible for the management of the Federal Columbia River Power System (FCRPS) in compliance with the Biological Opinion (BiOp) approved by NOAA Fisheries in 2008/2010 and supplemented in 2014;

4. The FCRPS BiOp has helped to improve fish runs, including 97% of young salmon successfully making it past the federal dams, demonstrating that both renewable hydropower and fish can coexist;

5. Despite the success of the current FCRPS BiOp, in March 2017, the United States Court for the District of Oregon directed the federal agencies to undertake a comprehensive review of hydro operations under the National Environmental Policy Act (NEPA) and strongly urged the federal agencies to include analysis of the removal, bypass or breaching one of more of the four lower Snake River hydropower dams;

6. Bipartisan legislation, H.R. 3144, provides a creative solution to the endless litigation over federal hydro system operations by directing the federal agencies to implement the current federal salmon plan, known as the 2014 Supplemental BiOp. That plan:

a. Was vetted and supported by the Obama Administration's top scientists;

b. Has resulted in improved young salmon survival at the federal dams due to changes in operations and the installation of new fish passage technologies;

c. Restored thousands of acres of habitat in rivers, the estuary and floodplains for salmon spawning and rearing; and

d. Would allow federal hydropower operations to continue through September 30, 2022 or until the court-ordered, comprehensive environmental NEPA process concludes, a new BiOp is in place and judicial review is complete.

7. Without the legislation, the federal agencies would be compelled to author a new 2018 BiOp without the benefit of the new science and public input provided by the comprehensive NEPA review; and

8. H.R. 3144 was introduced by Rep. Cathy McMorris Rodgers (R–WA) and co-sponsored by Rep. Dan Newhouse (R–WA), Rep. Jaime Herrera Beutler (R–WA), Rep. Kurt Schrader (D–OR) and Rep. Greg Walden (R–OR).

Now therefore, be it resolved by the Commission of Public Utility District No. 2 of Grant County, Washington, that Grant PUP supports H.R. 3144, and applauds the co-sponsors of this bipartisan legislation as it:

Offers a creative solution that is good for both salmon, renewable hydropower and the economy of the Northwest.

Provides relief in the endless litigation of the federal hydro system.

Provides time for the federal agencies to complete the court-ordered NEPA environmental review process.

Avoids experiments, modifications or spill tests at the eight federal Columbia and Snake River dams, which could have the potential to unnecessarily restrict renewable electric generation, create uncertainties in BPAss power costs and supply, and raise Northwest customers' electric rates.

Passed and approved by the Commission of Public Utility District No. 2 of Grant County, Washington this 24 day of October 2017.

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RESOLUTION OF THE BENTON REA BOARD OF TRUSTEES

SUPPORTING H.R. 3144 FEDERAL LEGISLATION ADDRESSING THE FEDERAL COLUMBIA RIVER POWER SYSTEM BIOLOGICAL OPINION

Whereas, Members of Benton Rural Electric Association receive 86 percent of their electricity from the Federal Columbia River Power System (FCRPS); and

Whereas, Hydropower provides 70 percent of Washington state's clean affordable and reliable electricity and 60 percent of the Pacific Northwest's electricity with the majority of the power produced by the FCRPS; and

Whereas, Hydroelectric dams also provide many benefits to the region, including flood control, navigation, irrigation, and recreation: and

Whereas, Federal legislation requires the federal agencies responsible for the management of the FCRPS to operate the hydro system in compliance with the Biological Opinion (BiOp) approved by National Oceanic and Atmospheric Administration (NOAA) Fisheries in 2008/2010 and supplemented in 2014, and

Whereas, This BiOp was vetted and supported by the previous presidential administrations' top scientists and has resulted in wild salmon numbers trending significantly upward due to changes in operations and the installation of new passage technologies, and

Whereas, The FCRPS BiOp has successfully improved fish runs including 97% of young salmon successfully making it past the dams proving that both dams and fish can coexist; and

Whereas, Bonneville Power Administration (BPA) has spent $15.28 billion in total spending on infrastructure and fish mitigation projects since 1978; and

Whereas, Despite the success of the current FCRPS BiOp, in March 2017, the United States District Court for the District of Oregon directed the federal agencies to undertake a comprehensive review of hydro operations under the National Environmental Policy Act (NEPA) and strongly urged the federal agencies to include analysis of the removal, bypass or breaching one or more of the four lower Snake River dams; and

Whereas, H.R. 3144, ''To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time'', was introduced in the United States House of Representatives, and

Whereas, The federal legislation would continue federal hydro operations through September 30, 2022 or until the court-ordered, comprehensive environmental NEPA process concludes, a new BiOp is in place, and judicial review is complete, and

Whereas, The federal legislation would prohibit studies, plans or structural modifications at the dams which would impair hydroelectric power generation or navigation on the Columbia River; and

Whereas, The federal legislation offers a creative solution that is good for both listed salmon and the economy of the communities served by Benton Rural Electric Association, and provides relief in the endless litigation of federal hydro system operations by directing the federal agencies to implement the current federal salmon plan, known as the 2014 Supplemental BiOp; and

Whereas, The federal legislation provides time for the federal agencies to complete the court-ordered NEPA environmental review process analyzing federal hydro system operations and focuses the general agencies limited resources on getting that process right.

Whereas, without the legislation, the agencies would be compelled to author a new 2018 BiOp without the benefit of the new science and public input provided by the comprehensive NEPA review, and avoids experiments or spill tests at the eight Columbia and Snake dams, and studies and modifications at the dams which would restrict electrical generation, which would create uncertainties in BPA's power costs and supply and raise Northwest electric customers' rates.

Now, therefore be it resolved that the Board of Trustees of Benton Rural Electric Association supports the passage of H.R. 3144 this July 26, 2017.

WASHINGTON PUBLIC UTILITY DISTRICTS ASSOCIATION,
*Olympia, WA.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: On behalf of the Washington PUD Association we greatly appreciate the support you have shown for hydropower and, more specifically, the Federal Columbia River Power System (FCRPS) with the recent introduction of—H.R. 3144. This bill supports the hydro system and the many benefits it brings to the region through renewable, reliable and affordable power.

Despite the success of the current FCRPS Biological Opinion (BiOp), Judge Simon, U.S. Western District, Court of Oregon, rejected the plan and ruled all options need to be reviewed including breaching or removing one or more of the four Snake River dams.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science, has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

The Bonneville Power Administration has spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. Their bills are already higher by at least 15 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families and businesses and likely to be more detrimental to the fish runs than helpful. Your legislation will bring an end to the wasteful activities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

GEORGE CAAN,
*Executive Director.*

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

Mr. Speaker, I want to speak to another problem and issue with this bill that one of my colleagues brought up in his statement, and that is the great harm it will cause to the Tribal interests in the Pacific Northwest.

Native people of the Pacific Northwest ceded most of their ancestral homeland to the United States in exchange for the right to catch salmon and steelhead at accustomed places.

The Federal Government has a long history of failing to protect these fishing rights. If enacted, H.R. 3144 would further harm Tribal fisheries which are a critically important source of food. They are of great cultural and religious significance to the Tribes. Just this week, the Nez Perce Tribe contacted our committee to urge us to reject H.R. 3144. I think Congress should heed this call and reject this piece of legislation.

Mr. Speaker, the concerns have been laid out by the people who have spoken against this legislation. Essentially, this legislation, H.R. 3144, violates bedrock environmental laws. Those concerns have been stated by Members who have spoken against the legislation. It harms businesses. It hurts the Tribes in the Northwest. It is an attack on the legal process, and, in the long term, it will hurt ratepayers.

Mr. Speaker, I urge a ''no'' vote on H.R. 3144, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very happy to be here to present this particular bill, or at least sum up on this, especially as our good friend Mr. Todd Ungerecht has done so much for this particular bill and it is going to be his last time on the floor with us. So I appreciate all of his help on this. He is returning back to his native State of Washington where he clearly realizes how important this bill is.

Mr. Speaker, this bill has support via policy from Washington, total support for the bill from Idaho and Montana, as well as eight other Tribes that live in this area, as well as the National Association of Counties, the American Farm Bureau Federation, United Power Trades Organization, National Rural Electric Cooperative Association, National Electrical Contractors Association, Public Power Council, Washington Association of Wheat Growers, and scores of other individuals.

I include in the RECORD a complete list of organizations that support this bill as well as letters that support this legislation.

SUPPORT FOR H.R. 3144

National Water Resources Association, National Associations of Counties, United Power Trades Organization, National Association of Wheat Growers, American Farm Bureau Federation, American Public Power Association, National Electrical Contractors Association, National Rural Electric Cooperative Association, Grand Canyon State Electric Cooperative Association, Americans for Limited Government, Arizona Farm Bureau, Arizona Liberty, Arizona Pork Council, Asotin County Public Utility District, Association of Washington Business, Benton Public Utility District, Blachly-Lane Electric Co-op, Clatskanie People's Utility District.

Clearwater Power, Concerned Citizens for America (Sedona), Cowlitz Public Utility District, Douglas County Public Utility District, Franklin Public Utility District, Grant County Public Utility District, Idaho Water Users Association, Inland Ports and Navigation Group, Kittitas County Public Utility District, Lewis County Public Utility District, Mason County Public Utility District, New Mexico Cattle Growers' Association, New Mexico Wool Growers Inc., Northern Lights, Northwest River Partners, Pend Oreille Public Utility District, Port Clarkston, Port of Morrow.

Port of Pasco, Port of Whitman County, Public Power Council, Salmon River Electric CoOp, Stevens County Commissioners, Sulphur Springs Valley Electric Cooperative, Tidewater Transportation & Terminals, Tri-City Development Council, United Electric, Wahkiakum County Public Utility District, Washington Association of Wheat Growers, Washington Farm Bureau, Washington Public Utility Districts Association, Washington State Potato Commission, Yuvapai County Supervisor Thomas Thurman, Your Touchstone Energy Cooperative.

PUBLIC POWER COUNCIL
*March 16, 2018*

Re Support for H.R. 3144—To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified time.

DEAR MEMBERS OF THE NORTHWEST CONGRESSIONAL DELEGATION: The Public Power Council (PPC) is a not for profit association that represents about 100 consumer-owned electric utilities in the Pacific Northwest on issues regarding the Federal Columbia River Power System (FCRPS). As purchasers of power from the Bonneville Power Administration (BPA), PPC members and their customers pay for a large share of the region's fish and wildlife mitigation costs. I write today in support of H.R. 3144, a bill that would stabilize a portion of these costs while the administrative process proceeds in the region.

BPA is on the precipice of a serious financial struggle created by consistent increases in its power rates over the past decade combined with a simultaneous drop in the market price of other power options in the West. As utilities begin to choose lesser-cost options elsewhere, BPA will not have the requisite customer base to fund all its statutory obligations, including regional fish and wildlife efforts. Without serious action to stabilize rates, BPA will struggle in the near future to recover its costs, putting all of its programs at risk.

An important part of the challenge facing BPA is the volatility of the costs of meeting its fish and wildlife-related obligations. H.R. 3144 would offer important assistance in this respect by temporarily keeping in place a federal hydro operations plan (approved by multiple Administrations) through the 2021 completion of an ongoing review under the National Environmental Policy Act (NEPA). Upon completion of the NEPA process, it is expected that the legislation would effectively expire and the NEPA-supported plan for the federal hydro system would commence.

H.R. 3144 allows the court-ordered NEPA process to continue while avoiding a costly and potentially harmful spill experiment. In addition to its estimated $40 million annual cost to regional electricity customers, NOAA Fisheries' Science Center modeling does not show appreciable benefits to salmon and steelhead from this operation. Higher levels of spill can harm fish from increased gas saturation in the water. The fear is that, without this legislation, a spill regime will be put in place that increases regional power costs while providing no apparent benefit to the fish it purports to help.

Another threatening aspect to the proposed spill experiment is that it would further limit the operational flexibility of the hydropower system that is essential to reliably meet electricity demand in the region and integrate other renewable power resources. Further, it is expected that much of the carbon-free generation eliminated by this experiment will be replaced by fossil fuels, greatly increasing regional carbon emissions, running counter to carbon-reduction goals.

Your support for this bill can help keep the region's hydropower affordable and can assist in stabilizing BPA during precarious times. Urgent action on H.R. 3144 will resonate for years in maintaining a renewable, flexible, and carbon-free energy resource that serves as the region's economic backbone. Thank you for your consideration.

Sincerely,

SCOTT CORWIN,
*Executive Director.*

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MASON COUNTY
PUBLIC UTILITY DISTRICT 3,
*Shelton, WA, April 23, 2018.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR CONGRESSMAN NEWHOUSE: Thank you for your support of federal, state and local agencies that provide cost-based, carbon free energy to customers throughout the Pacific Northwest. Specifically, we thank you for your strong defense of the Bonneville Power Administration and its partners in the Federal Base System.

We at Mason PUD 3 applaud your efforts, and those of others, who introduced HR 3144 to protect the viability and value of the Columbia River hydropower system.

We're pleased that HR 3144 affirms the jurisdiction of the 2014 Federal Biological Opinion for a balanced approach to managing the Columbia for fish and hydropower. We are concerned, as are others who depend on the river for their livelihoods, about the increased role of the courts in controlling this mighty resource. Management of the river by appointed judges is precedent-setting. It bypasses science, the experts who collaboratively wrote the Biological Opinion, and is not in the best interests of our customers.

PUD 3 is disappointed in a federal court ruling earlier this month that will result in an experimental water spill program at Columbia and Snake River dams. This costly experiment is aimed at determining if sending more water through dam spillways, instead of using it for power generation, will help the passage of salmon in the Columbia River Basin.

The Northwest Power & Conservation Council notes in its ''2016 Columbia River Basin Fish and Wildlife Program Costs Report'' that public power customers in the Pacific Northwest paid $621.5 million for recovery and restoration efforts. Just over $7 million of that came from customers of Mason PUD 3 (based on our proportionate share of the Federal Base System).

To further burden our customers, and other public power customers in the region, with the cost of an experimental spill which has uncertain results, is an unjust judicial abuse of those who we strive to protect.

Your bill, HR 3144, will give much needed relief to public power customers in a region that, through its wholesale power rates, fully pays its way for the operation of the Federal Base System. Further, through the directed use of the 2014 Federal Biological Opinion, it places management of the river in the realm of science, not speculation.

We thank you for your support and protection of the natural resources of the Pacific Northwest. If you wish to communicate with us on this matter, please contact us at any time.

Sincerely,

ANNETTE CREEKPAUM,
*Manager, Mason PUD 3.*

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ASOTIN COUNTY
PUBLIC UTILITY DISTRICT,
*Clarkston, WA.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: We are writing to thank you for your support of hydropower and the Federal Columbia River Power System (FCRPS) with the recent introduction of—H.R. 3144. As an electric utility whose customers are dependent upon reliable and affordable power, this bill supports the hydro system and the many benefits it brings to the region as a renewable resource.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science and has been vetted by stakeholders. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

Despite the success of the current FCRPS BiOp, the judge's ruling rejecting the plan will add costs to the over $15 billion the Bonneville Power Administration has spent on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills and the ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for everyone.

Your legislation will bring an end to the wasteful activities and we appreciate your leadership on this issue with the introduction of H.R. 3144.

Sincerely, Asotin County PUD Board of Commissioners:

DON NUXOLL,
*President.*
JUDY RIDGE,
*Vice-President.*
GREG MCCALL,
*Secretary.*

---

COWLITZ PUD,
*Longview, WA, April 23, 2018.*

Re: H.R. 3144.

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: This letter is submitted by Cowlitz PUD, serving roughly 50,000 electric customers located on or near the mighty Columbia River. The District purchases approximately 90% of its power supply from BPA, which is sourced primarily from the Federal Columbia River Power System (FCRPS).

We believe the 2014 BiOp is the best solution and we believe H.R. 3144 puts that solution in place.

We appreciate your leadership on H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

STEVEN D. KERN,
*General Manager,*
*Cowlitz PUD.*

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COWLITZ PUD,
*Longview, WA, April 23, 2018.*

Re: H.R. 3144.

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: I write you this letter individually supporting H.R. 3144.

The 50,000 customers I represent continue to be impacted by interests other than their own. The Federal Columbia River Power System (FCRPS) has been bought and paid for by electric customers but is now being run from the bench of our 9th District court rather than the labs and control rooms of scientists and system operators. Experimental spill operations and targeted political outcomes have no place in the river system that powers our homes, underpins our economy, and funds our fish recovery.

I appreciate your leadership.

Sincerely,

DENA DIAMOND-OTT,
*Cowlitz PUD Commissioner—District #1.*

KITTITAS COUNTY,
PUBLIC UTILITY DISTRICT NO. 1,
*Ellensburg, WA, April 23, 2018.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: On behalf of Kittitas PUD No. 1 we greatly appreciate the support you have shown for hydropower and, more specifically, the Federal Columbia River Power System (FCRPS) with the recent introduction of H.R. 3144. This bill supports the hydro system and the many benefits it brings to the region through renewable, reliable and affordable power.

Despite the success of the current FCRPS Biological Opinion (BiOp), Judge Simon, U.S. Western District, Court of Oregon, rejected the plan and ruled all options need to be reviewed including breaching or removing one or more of the four Snake River dams.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014. The current BiOp is based on the best available science, has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies.

The Bonneville Power Administration has spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. Their bills are already higher by at least 15 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families and businesses and likely to be more detrimental to the fish runs than helpful. Your legislation will bring an end to the wasteful activities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

MATTHEW BOAST,
*General Manager.*

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LEWIS COUNTY,
PUBLIC UTILITY DISTRICT,
*Chehalis, WA, April 24, 2018.*

Hon. DAN NEWHOUSE,
*House of Representatives,*
*Washington, DC.*

DEAR REPRESENTATIVE NEWHOUSE: On behalf of Public Utility District No. 1 of Lewis County, we appreciate your support for hydropower and the Federal Columbia River Power System (FCRPS). The recent introduction of H.R. 3144 supports the hydro systems many benefits to the region by providing renewable, reliable and affordable power.

The current FCRPS Biological Opinion (BiOp) is based on the best available science and has been vetted by stakeholders and was formally approved by the Obama administration. Implementation of the BiOp has successfully increased salmon runs due to operational requirements within, and the installation of new fish passage technologies. Despite the success of the current BiOp, Judge Simon, U.S. Western District, Court of Oregon, rejected the plan and ruled all options need to be reviewed including breaching or removing one or more of the four Snake River dams.

The Bonneville Power Administration has already spent over $15 billion on infrastructure and fish mitigation projects since 1978. These improvements and mitigation measures are paid for by our customers through their electric bills. Their bills are already higher by at least 15 percent for fish mitigation programs. The ''spill test'' ordered by the judge will be an additional cost that will result in higher electric bills for Northwest families and businesses and likely to be more detrimental to the fish runs than helpful.

Your bill provides relief to the endless litigation of federal hydro system operations by directing the federal agencies to implement the current BiOp as adopted in 2014 and your legislation will bring an end to wasteful activities.

We appreciate your leadership on this issue with the introduction of H.R. 3144 and urge other legislators to follow your lead.

Sincerely,

COMMISSIONER DEAN DAHLIN.
COMMISSIONER BEN KOSTICK.
COMMISSIONER TIM COURNYER.

Mr. BISHOP of Utah. Mr. Speaker, here is the bottom line for this particular piece of legislation:

States agree to it. There are nine Tribes in this area. Eight of them totally support this particular bill. The Obama administration created a biological opinion which endorsed the ESA and was legal with the ESA. A judge decided to change all of that and ordered a spill with no apparent rationale to it.

Mr. Speaker, there is no one over here who hates salmon. We are not trying to kill them all. Heaven knows, the only way I would like to kill salmon is if I am consuming them myself. However, in 2011, another spill took place on this particular river which had the process of actually killing this endangered species that was there.

This judge's order, without any kind of rationale to it, could indeed be one of the situations that actually sterilizes this river and the species rather than protecting the river and the species.

Let's allow river operators to operate the river. Let's allow scientists to conduct the science and let judges go back to granting divorces. Allowing a judge with no background in these issues to dictate river operations and subvert the science is totally irresponsible on our part.

This is a piece of legislation that clearly is a win for the ratepayers to a tune of $40 million that they would have to do if this decision by the judge stands. It is also a win for taxpayers to the tune of about $16 million. It is a win for the fish by preventing a potentially deadly environmental decision that has no basis in actual science. And, once again, it was the last administration that created the pattern in which we are going.

Let's go back to that and do it. Now, if another science or biological opinion needs to be done, let it happen, but don't allow the judge to change what the river operators are saying is the wisest policy until you do that. That is the basis of this particular bill. It helps the power. It helps the fish. It helps all of us. And let's face it, if you are not using that hydropower, you are going to have to pick up fossil fuel power to make up the difference—see which one actually is healthier for the environment.

Mr. Speaker, I commend my colleagues for doing this, and I urge all in the House to support this legislation which is a bipartisan bill that has bipartisan support.

Mr. Speaker, I thank Chairman SHUSTER for agreeing to help expedite consideration of this bill today.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, April 12, 2018.*

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and Infrastructure, Washington, DC*

DEAR MR. CHAIRMAN: I write regarding H.R. 3144, to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Transportation and Infrastructure.

I ask that you allow the Committee on Transportation and Infrastructure 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 Transportation and Infrastructure 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 Natural Resources to memorialize our understanding.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman.*

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COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
*Washington, DC, April 16, 2018.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,*
*Washington, DC.*

DEAR CHAIRMAN BISHOP: Thank you for your letter concerning H.R. 3144, to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes. As noted, the Committee on Transportation and Infrastructure received an additional referral on this legislation.

In order to expedite floor consideration of H.R. 3144, the Committee on Transportation and Infrastructure agrees to forgo action on this bill. However, as you noted, this is conditional on our mutual understanding that forgoing consideration of the bill would 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, it is our understanding that mutually agreed upon changes to the legislation will be incorporated into the bill via an amendment. Should a conference on the bill be necessary, I appreciate your agreement to support my request to have the Committee represented on the conference committee.

Thank you for your cooperation on this matter and for agreeing to place a copy of this letter and your response acknowledging our jurisdictional interest into the bill report and the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
*Chairman.*

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

Ms. BONAMICI. Mr. Speaker, I rise today in opposition to H.R. 3144, a bill that would require the implementation of a specific Federal Columbia River Power System operation plan. I am committed to increasing consumer access to affordable and reliable electricity, but this must be done without jeopardizing our region's ecosystem. I cannot support this bill because it would undermine longstanding environmental protections, including the Endangered Species Act, harm salmon and steelhead populations, and threaten the recreational and commercial fisheries, tribes, and species that benefit from healthy salmon runs.

The Endangered Species Act and National Environmental Policy Act require the federal operators of the Federal Columbia River Power System to consult with the National Marine Fisheries Service on how the System's hydroelectric dams could affect several salmon and steelhead stocks that are listed as threatened or endangered. Unfortunately, instead of responding in a systematic manner using the best available science, this bill would disrupt regional salmon and dam management efforts, jeopardize the existence of salmon and steelhead, and damage this vulnerable ecosystem.

In addition to the troubling effects on the region's ecosystem, implementation of this bill could also harm tribal fisheries. Native Americans have lived and fished along the banks of the Columbia River for centuries. Despite signing treaties with the tribes to preserve their rights to fish, hunt, and gather at their accustomed places, the federal government has a long history of failing to protect these tribal fishing rights. Tribes have a right and a deep cultural and historical connection to the fish populations threatened by this bill.

Oregon's economic vitality is dependent on the health of the Pacific Ocean and the Columbia River. We rely on the natural resources in our region to support a significant portion of our economy, and we are very vulnerable to changes to our ecosystem. This bill could harm the businesses that are dependent on healthy salmon and steelhead runs, including the commercial and recreational fishing industry, guiding and outdoor retail businesses, restaurants, and coastal communities that benefit from tourism.

The Pacific Northwest's social and environmental landscape is changing. We need to find a sustainable path forward that supports renewable power, commerce, and habitat conservation for salmon and steelhead populations. In addition to supporting the responsible use of hydropower that does not put salmon populations at risk, I also support investments in additional renewable energy sources like solar, wind, and wave energy. Through diversifying our investments in renewable resources, we can protect our environment and support new industries, jobs, and innovative businesses.

In short, we can—and should—address the energy needs of our region without furthering policies that will harm our ecosystem. I urge my colleagues to work together to develop a more appropriate solution that will protect salmon and steelhead and provide affordable and reliable electricity to consumers in the Pacific Northwest.

I note for the record that my husband, Judge Michael H. Simon, wrote the judicial opinion that was discussed in the debate about this bill. Before voting, I checked with the House Ethics office and was assured that there is no conflict of interest under the House Rules because the bill does not benefit my spouse's or my personal interest or finances.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 839, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT

Ms. JAYAPAL. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. JAYAPAL. Mr. Speaker, I am opposed.

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

The Clerk read as follows:

Ms. Jayapal moves to recommit the bill H.R. 3144 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At end of the bill, add the following:

**SEC. 5. LOWER COSTS FOR ELECTRICITY CONSUMERS.**

Nothing in this Act shall prohibit the sale of electric power generated by the Federal Columbia River Power System at the lowest possible rate consistent with sound business practices and other factors as required by current law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington is recognized for 5 minutes in support of her motion.

Ms. JAYAPAL. Mr. 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.

Mr. Speaker, I make this motion today in order to ensure that the millions of Americans who rely on public power can continue receiving affordable power. President Trump, in his latest budget, has proposed charging millions of Americans more for their electricity.

The President wants to charge Americans what he calls market-based rates, which means that millions of Americans who rely on public power will pay more than what they pay now. This proposal has rightly provoked bipartisan opposition, and I hope my Republican colleagues will join me in rejecting this ill-advised proposal which will result in higher bills for millions of our constituents.

Mr. Speaker, I should also add that the underlying bill is based on a false premise that rates can be lowered by shirking our responsibilities to protect our environment, restore our salmon populations, and follow the law. After all, restoring our region's salmon populations will reduce our costs in the long run.

This underlying bill takes us in the wrong direction, and it is important to include some context on this complicated issue.

Starting in the 1930s, the Federal Government began the construction of 31 hydroelectric dams on the Columbia River. These dams which make up the Federal Columbia River Power System, or the FCRPS, provide public power throughout the Pacific Northwest.

However, it has become clear that they have operated in ways that pose serious threats to our region's salmon runs and violate our environmental laws. Several courts, including the Ninth Circuit Court of Appeals and the Oregon U.S. District Court, have ruled as such. The courts ordered a new biological opinion, as well as a NEPA review, in order to bring the plans in alignment with Federal law.

Rather than letting this critical process continue, H.R. 3144 aims to circumvent our court system and the law by blocking legally ordered salmon protection measures. Congress should not be in the business of closing the door on legal and regulatory review processes simply because some Members don't like them.

Some claim that the court process will make it more expensive for ratepayers due to decisions like the one to increase spill over the dams, which this bill would illegally block. This process, which is meant to release additional water over the tops of the dams to ensure that juvenile salmon can migrate out, is a critical step in increasing salmon recovery rates. It is currently up for debate whether or not ratepayers will see an increase of any sort in the costs in the short term, but the long-term benefits of changes like this one are indisputable.

The 13 species of steelhead and salmon that are threatened by these dams are crucial to our region, and our fishing industry relies on them for its survival.

In 2011, Mr. Speaker, 34,500 jobs were provided by a healthy sport fishing industry which contributed more than $3.8 billion to the economy in Washington, Oregon, and Idaho. And according to a recent poll in Washington State, a strong majority of voters are actually willing to pay up to $7 a month in additional costs in order to save our wild salmon and improve water quality because they know how incredibly important it is to all of our economies and our communities.

Whether or not the increase spill will raise costs, that is not clear, but what is clear is that conserving these critical populations is a priority for the people in the Pacific Northwest.

The irony, Mr. Speaker, is that H.R. 3144 will ultimately cost our ratepayers

even more money in the long term. Protecting our salmon populations is 100 percent necessary. It is our obligation under the Endangered Species Act. So simply closing our eyes and hoping this all goes away is not an option.

Additionally, the Native peoples of the Pacific Northwest have the undeniable treaty rights to catch these salmon and steelhead at accustomed places, meaning that these populations have to be maintained. We can't continue to fail to uphold our end of this deal, and this bill will move us further away from where we need to be.

This issue has been addressed, and the review process mandated by the courts is doing just that. By denying the opportunity to implement the necessary science-based changes required to bring the FCRPS in line with Federal law, H.R. 3144 will cost ratepayers more down the line. Restoring the salmon population will be incredibly expensive, and gutting fisheries protections and kicking the can down the road does not serve our ratepayers well.

We must move forward with the ongoing biological opinion review and the NEPA process, but we also have to ensure that we are continuing to be mindful of our ratepayers in the region. This bill will ultimately cost ratepayers more, not less.

Mr. Speaker, it is possible to find a solution that works.

I yield back the balance of my time.

□ 1600

Mr. BISHOP of Utah. Mr. Speaker, I claim the time in opposition to the motion.

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

Mr. BISHOP of Utah. Mr. Speaker, I do appreciate the commitment of the gentlewoman from Washington, the effort to solve some problems, and many of the issues that were brought up. Unfortunately, many of the issues that were addressed simply are not covered in the motion to recommit at the same time—great speeches, but not necessarily really relating directly to the motion.

If you actually look at what the motion will do, ultimately, it is very clear that it will ensure that rates actually do go up; carbon emissions will go up; and farmers, families, union members, and small businesses will all have to eventually pay for it.

The underlying bipartisan legislation, though, and not some poorly worded gimmick that cedes more authority to courts and lawyers will protect ratepayers and endangered salmon and the whales and the taxpayers at the same time.

In all due respect, I actually feel happy that I was here when we saw a display of the Senate actually passing something. So I would suggest, in all humility to the other side, if they actually want to do something which would encourage my commitment and my approval of an MTR, it would be to realize and recognize something that happened 107 years ago this Friday, in which the socialist Member from Milwaukee, Wisconsin, 107 years ago, Friday, introduced a resolution to dissolve the Senate.

Now, if that were a motion to recommit, that I would firmly endorse. That would actually help us move forward. Unfortunately, that is not the motion to recommit in front of us. The motion to recommit does not help us move forward.

Mr. Speaker, I ask for a ''no'' vote on the motion to recommit, 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. JAYAPAL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

Passage of H.R. 3144, if ordered; and

Suspending the rules and passing H.R. 5447.

The vote was taken by electronic device, and there were—yeas 190, nays 226, not voting 12, as follows:

[Roll No. 152]

YEAS—190

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

NAYS—226

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
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
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
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—12

Black
Cárdenas
Gowdy
Grothman
Issa
Jenkins (WV)
Kuster (NH)
Labrador
Noem
Renacci
Sewell (AL)
Sires

□ 1628

Messrs. ABRAHAM, AMASH, NUNES, WEBSTER of Florida, JOHNSON of Ohio, Mrs. LOVE, Messrs. WITTMAN, MESSER, LUETKEMEYER, McCARTHY, and Mrs. McMORRIS RODGERS changed their vote from ''yea'' to ''nay.''

Mr. RUPPERSBERGER, Mses. TITUS, MAXINE WATERS of California, Mr. ESPAILLAT, Ms. ESTY of Connecticut, Messrs. CROWLEY, WELCH, Ms. GABBARD, and Mr. GONZALEZ of Texas 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 225, nays 189, not voting 14, as follows:

[Roll No. 153]

YEAS—225

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Correa
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curtis
Davidson
Davis, Rodney
DeGette
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lewis (MN)
Long
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
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

NAYS—189

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

NOT VOTING—14

Black
Cárdenas
Frelinghuysen
Gowdy
Grothman
Issa
Jenkins (WV)
Kuster (NH)
Labrador
Loudermilk
Noem
Renacci
Sewell (AL)
Sires

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1635

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 against:

Ms. DEGETTE. Mr. Speaker, during rollcall vote No. 153 on H.R. 3144, I mistakenly recorded my vote as ''yea'' when I should have voted ''nay.''

## MUSIC MODERNIZATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5447) to modernize copyright law, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 13, as follows:

[Roll No. 154]

YEAS—415

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego

Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—13

Black
Cárdenas
Estes (KS)
Gowdy
Grothman
Gutiérrez
Jenkins (WV)
Kuster (NH)
Labrador
Noem
Renacci
Sewell (AL)
Sires

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1642

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ESTES of Kansas. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 154.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2061. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

## PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 256

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 256, a bill originally introduced by Representative Farenthold of Texas, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

## MOMENT OF SILENCE FOR FALLEN GILCHRIST LAW ENFORCEMENT OFFICERS

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

Mr. DUNN. Mr. Speaker, I rise today to honor the memory of two fallen heroes back home in Florida: Gilchrist County Sergeant Noel Ramirez and Deputy Taylor Lindsey. These two officers were tragically murdered in the line of duty during an ambush shooting on April 19.

Mr. Speaker, these two young men were selfless heroes, patriots, and everything we aspire to be as people, as a Nation, and as Americans.

Sergeant Ramirez had been in law enforcement for 7 years and leaves behind two young children and a wife. He had, as Sheriff Bobby Schultz described it, an infectious smile. Deputy Lindsey joined the Gilchrist County Sheriff's Office in 2013, and dedicated his time and efforts towards getting illegal drugs off our streets.

Please join me and the Florida delegation in honoring Gilchrist County Sergeant Noel Ramirez and Deputy Taylor Lindsey and all of our fallen heroes who have made the ultimate sacrifice to ensure our safety.

At this time, Mr. Speaker, I ask that the House hold a moment of silence.

□ 1645

## AUTISM AWARENESS MONTH

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

Mr. LANGEVIN. Mr. Speaker, I rise today in recognition of Autism Awareness Month.

Right now, the CDC estimates that 1 in 68 children has been identified with autism spectrum disorder, but a recent parent survey indicated that as many as 1 in 45 children may be affected.

As a proud uncle of a young man with autism, I understand the challenges that families across the country are facing and the need for more resources to support this in this area. But I am also aware of the positive opportunities that we can create by working together to build a better future for our loved ones with autism and the families that care for them.

Mr. Speaker, I have been a proud participant in the Rhode Island Autism Project's annual Imagine Walk, which highlights the importance of research, screening, interventions, and education for the entire Ocean State community and also helps to raise resources.

I look forward to continuing my work in Congress to support the Autism Project and other great organizations that help foster a more tolerant, inclusive society.

## OFFSHORE DRILLING

(Mr. FRANCIS ROONEY of Florida asked and was given permission to address the House for 1 minute.)

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to continue to talk about how dangerous the offshore drilling business is for the eastern gulf and our environment in Florida.

Blowouts reached an all-time high offshore in 2016. For every 1,000 new wells offshore, 20 blowouts occur.

For 14 years, Taylor Energy has had a well off of south Louisiana that has leaked. It has leaked hundreds of thousands of gallons of oil every year.

Leaks from LL&G's pipeline leaked 392,700 barrels of oil in 2017, and in 2016 Shell Oil had a similar leak in one of their pipelines. That is really bad because Shell Oil is one of the best companies in the industry. It shows you that human error cannot be eliminated from offshore drilling, and we should ban it in the eastern Gulf of Mexico.

## FREE THE PANCHEN LAMA OF TIBET

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

Mr. McGOVERN. Mr. Speaker, today, we celebrate the 29th birthday of Gedhun Choekyi Nyima, the 11th Panchen Lama of Tibetan Buddhism.

He was chosen for his position on May 15, 1995, by His Holiness the Dalai Lama. Two days later, when he was only 6 years old, the Chinese Government detained him and his family. The Panchen Lama has not been heard from since. Twenty-three years later, he is one of the world's longest held prisoners of conscience.

People from all over the world—representatives of governments, the United Nations, and civil society organizations—have repeatedly asked to see him, without success.

What kind of government steals away a child?

The Panchen Lama's disappearance symbolizes the violations of religious freedom that take place in Tibetan areas of China on a daily basis.

Mr. Speaker, in honor of his birthday, please join me in calling on the Chinese Government to free the true Panchen Lama.

## DEFERMENT FOR ACTIVE CANCER TREATMENT

(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 speak on the Deferment for Active Cancer Treatment Act. I introduced this bill with my friend, Congressman ED PERLMUTTER, with the support of Critical Mass: The Young Adult Cancer Alliance.

This commonsense and bipartisan measure will enable cancer patients to defer payments on public student loans while actively receiving treatment, without interest accruing during the deferment period.

Sadly, in 2018 alone, Mr. Speaker, more than 1.7 million Americans will be newly diagnosed with cancer. Beyond the terrible news of this cancer diagnosis, these individuals have to endure exhaustive treatment and staggering medical expenses, often leading to under- or unemployment. This reality makes it incredibly difficult for many cancer patients to make payments on their student loans on time.

By passing the Deferment for Active Cancer Treatment Act, we will help so many cancer patients and stimulate the economy. These patients will be prevented from defaulting on their student loans, which they so desperately need.

Mr. Speaker, Ed and I encourage our colleagues to stand with cancer patients across our Nation and support and cosponsor the Deferment for Active Cancer Treatment Act.

## VALERIY ''LARRY'' SAVINKIN STREET CO-NAMING CEREMONY IN BROOKLYN, NEW YORK

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

Mr. JEFFRIES. Mr. Speaker, it is my honor that, on Tuesday, May 1, the communities of south Brooklyn, on the corner of Brighton Beach and Coney Island Avenues, will be co-named for Valeriy ''Larry'' Savinkin, a dedicated and well-respected community leader, who passed away last year.

Larry was my congressional field representative who served the residents of the Eighth Congressional District with great distinction.

His success and impact on the neighborhoods of southern Brooklyn and Queens were not limited to his work in the Eighth Congressional District office. For over 20 years, he was involved in several prominent organizations, including the September 11 Family Group, the Holocaust Memorial Committee, and the Odessa Community of New York.

Larry had a magnetic personality and cared about his community immensely.

I had the privilege of knowing and working with him for several years. I look forward to standing on Valeriy ''Larry'' Savinkin Street with New York City Council Members Mark Treyger and Chaim Deutsch next Tuesday to commemorate and acknowledge this outstanding individual.

## RECOGNIZING 125TH ANNIVERSARY OF MASONIC CARE COMMUNITY OF NEW YORK

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

Ms. TENNEY. Mr. Speaker, I rise today to recognize the 125th anniversary of the incredible Masonic Care Community of New York, located in the city of Utica.

The Masonic Care Community of New York opened its doors on May 1, 1893, as the Masonic Home, started by the Free and Accepted Masons of the State of New York. Their goal was to provide high-quality care to elderly masons and families living in the Mohawk Valley region.

Within 30 years, the location expanded to include a building for 360 adults, a hospital, several dormitories for children, and a 200-acre working farm that supplied food for those living on the campus.

Today, the Masonic Care Community of New York offers top-of-the-line healthcare options to all. It also offers high-quality senior care, rehabilitation services, and child care, while also making house calls for those patients who are unable to leave their home.

Masonic Care Community of New York has supported, nurtured, and educated the community by providing exceptional care and services with compassion and pride guided by the Masonic principles of brotherly love, relief, truth, and integrity. Currently, more than 500 seniors call the Masonic Care Community of New York and their independent living center home.

I want to extend my congratulations to the staff at the Masonic Care Community of New York for their hard work in continuing to make the Masonic Care Community of New York a first-class facility. I wish them 125 more years of exceptional service.

## REMEMBERING THE LIFE OF AUSTIN MEYER

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

Mr. KIHUEN. Mr. Speaker, today I rise to remember the life of Austin Meyer.

Austin moved to Reno, Nevada, to study transportation technology at Truckee Meadows Community College. He had a passion for cars and sports. He loved to watch basketball, especially the Boston Celtics.

Austin was excited to watch his favorite band perform at the Route 91 festival on October 1 in Las Vegas. Austin went to the festival with his fiancee, Dana Getreu, to celebrate his birthday and their anniversary.

Austin dreamed of opening up his own auto repair shop after graduation and was excited to get married to Dana and start a family. He always had a smile on his face and made people laugh.

Austin's friends and family remember him for being ambitious, smart, and hardworking.

I would like to extend my condolences to Austin Meyer's family and friends. Please know that the city of Las Vegas, the State of Nevada, and the whole country grieve with you.

## CELEBRATING 100TH BIRTHDAY OF DORA DUNCAN GILLENWATER BARTLEY

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

Mr. COMER. Mr. Speaker, I rise in celebration of a lifelong friend and neighbor, Mrs. Dora Duncan Gillenwater Bartley of my hometown of Tompkinsville, in the First District of Kentucky, who is celebrating her 100th birthday today.

Dora Bartley's dedication to serving others rivals only her love for her husband, James Dale Bartley, and their seven children.

Known throughout Monroe County for her abundant compassion and unwavering work ethic, she has not only cared for her family, but also welcomed abused and orphaned women and children into her home and treated them as her own.

Throughout her life, she has been guided by her steadfast commitment to her faith and has worked tirelessly for the benefit of others, not only during her service as deputy jailer, but even after her retirement through her involvement in distributing commodities and serving her fellow senior citizens.

I am deeply thankful for her friendship and guidance throughout my life, and I am honored to join with her friends and family, as well as all who have benefited from her generous spirit, in celebrating this milestone achievement. I wish Dora Bartley a happy 100th birthday and many more joyful years filled with blessings.

□ 1700

## CELEBRATING THE LIFE OF PETER G. PETERSON

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

Ms. PELOSI. Mr. Speaker, I rise today to remember a great American patriot, Pete Peterson, who passed away at the age of 91 last month.

Born to Greek immigrant parents in America's heartland of Nebraska, Pete rose from humble beginnings to contribute to our Nation as a public servant, statesman, business leader, and especially through his philanthropic and policy work.

Pete was a clarion voice for fiscal responsibility and a strong moral conscience in Washington, working tirelessly and always reaching across party lines.

For Pete, building a bright economic future for the next generation was his patriotic duty. He understood that he was so fortunate to have lived the American Dream, and he wanted that same opportunity available for every man, woman, and child in our Nation.

Economic policy leadership was a defining thread running through his life, including in his roles as Secretary of Commerce, the head of major American corporations, and the founder of respected policy organizations, including the Peterson Institute for International Economics and the Peterson Foundation.

Pete's prophetic voice on the importance of fiscal sustainability brought together generations of policymakers, no matter their political background, to find common ground and effective solutions. His strong moral leadership to ensure our children and our grandchildren inherit a healthy fiscal future leaves a remarkable legacy.

Mr. Speaker, anyone who knew Pete will attest to his wit, generous spirit, and personal warmth that made him a pleasure to be around.

Pete signed The Giving Pledge and committed the bulk of his personal fortune to philanthropic causes. His legacy will endure in many ways, but especially through the work of the Peterson Foundation, which continues to focus on solutions to America's fiscal and economic challenges, now under the leadership of his son Michael.

The loss of Pete will be deeply felt in Washington, in the Nation, and around the world. May it bring some measure of comfort to his wife, Joan Ganz Cooney; his children, John, Jim, David, Holly, and Michael; and all his loved ones that so many grieve with them during this difficult time.

I knew and loved Pete Peterson, and I know he loved his family above all. He was a great American, who loved our country as well.

## THE REPUBLIC OF TEXAS—THE REPUBLIC OF FRANCE

(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, just a stone's throw away from the Champs-Elysees and the Louvre in Paris stands the Hotel de Vendome, the former home of the official embassy of the Republic of Texas.

In fact, France was the first nation to recognize Texas as an independent nation in 1836, when a treaty was signed between the two countries. Today, a marker denotes the building where the Texas embassy was in France.

In turn, France had an embassy in Austin, Texas, not far from our current Texas Capitol Building.

Notably, Texas also once belonged to France before Spain reclaimed Texas.

Explorer La Salle planted the French flag in Texas in 1685 and established a settlement in Matagorda.

Texas later became a sovereign republic and 9 years later joined the United States.

So on this day when French President Macron addressed Congress, Texas remembers and appreciates that Texas was not only an independent country France first recognized, but was once a part of France.

And that is just the way it is.

## BRINGING FUTURE FARMERS OF AMERICA INTO THE 21ST CENTURY

(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, yesterday I introduced a bill with my colleagues, Congressman JIM LANGEVIN and Congressman DAVID YOUNG of Iowa, to modernize the charter of the National FFA Organization.

FFA, formerly called the Future Farmers of America, was founded in 1928.

Congress recognized the importance of FFA as an integral part of agriculture and, in 1950, granted it a Federal charter.

The charter provides Federal authority to create an interagency working agreement that is focused on strengthening FFA and school-based agriculture education.

It is important to note that only about 100 organizations have charters with Federal agencies, only six organizations require the respective government agency to select one member for the board of directors, and FFA is the only organization that requires a majority of its board of directors be chosen by its partner government agency.

Mr. Speaker, H.R. 5595, the National FFA Organization's Charter Amendments Act, makes updates to allow the National FFA to be a self-governing organization while maintaining its long-held relationship with the U.S. Department of Education.

This amendment brings FFA, a great cornerstone of rural America, into the 21st century, and I encourage my colleagues to cosponsor this legislation.

## NATIONAL SCIENCE BOWL

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

Mr. FLEISCHMANN. Mr. Speaker, I rise this evening on behalf of some of my greatest constituents, Oak Ridge High School, in the Third District of Tennessee.

The Department of Energy created the National Science Bowl in 1991. This is one of the most prestigious competitions in math and science for our high school and middle school students.

Oak Ridge High School is the only high school in the great State of Tennessee to participate in the finals this year that will take place this weekend.

I would like to announce that Joseph Andress, Henry Shen, Steven Qu, Melody Guo, and Batu Odbadrakh are our outstanding students for Oak Ridge High School.

Go Oak Ridge. Go National Science Bowl. Go America.

## RECOGNITION OF BARBARA JOHNS DAY

The SPEAKER pro tempore (Mr. FITZPATRICK). Under the Speaker's announced policy of January 3, 2017, the gentleman from Virginia (Mr. GARRETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARRETT. Mr. Speaker, it is an honor, the likes of which I can't think of a comparison, to stand here, in this week of April 2018, and commemorate a battle undertaken by a student that I would argue was a continuation of the American Revolution.

The American Revolution began when a group of White male landowners cast off the tyrannical throne which lorded over them from across an ocean, but it moved forward 80 years later when a million Americans, through disease and starvation and battlefield death, gave their lives to rid this Nation of the horrific institution of slavery. Then 55 years later, I would argue that it continued when the franchise was extended through women's suffrage to women.

Then 30-plus years after that, by a 16-year-old high school student at the R.R. Moton High School in Farmville, Virginia, who had heard about the foundational ideas espoused by a slave owner named Jefferson who wrote that all people are created equal, but couldn't reconcile that with her life experience, because in the county where she lived, a brand-new high school had been built, but only some kids could attend it.

So in extending this American Revolution that continues to this day, this 16-year-old young woman, Barbara Rose Johns, led a school walkout that was the only student-initiated case amalgamated into the decision in Brown v. Board of Education, which rid America of the ridiculous lie that was ''separate but equal.''

So her walkout was not to take rights from others, but to extend rights to all, and the idea of an American Nation founded on the idea that all people had fundamental rights, and that it was the role of government to protect those.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT), my colleague.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to join my colleague from Virginia, Congressman GARRETT. I want to thank him for organizing this evening's Special Order, but first I want to commend him for his work as a Virginia State senator for making April 23 Barbara Johns Day in the Commonwealth of Virginia.

This April 23, Monday, marked the first official recognition of this important day in the Commonwealth.

Almost 64 years ago, the Supreme Court struck down lawful school segregation in the case of Brown v. Board of Education. What few people know is that Virginia was one of the four cases decided that day. There were three other States, and Washington, D.C., had another case that was decided the same day.

Virginia's involvement in Brown v. Board of Education stood out because that effort was led by a student, namely Barbara Johns. She was only 16 years of age. This stalwart figure in the struggle for equal education stood up to challenge the notion that African Americans should receive separate and unequal education under the law.

Barbara Johns grew up in Farmville, Virginia, and attended Robert Russa Moton High School, an all-Black school serving more than 450 students despite the fact that the facility was designed for only 180.

She described the inadequacies of the school as having shabby equipment, no science laboratories, no separate gymnasium. Conditions were so bad at the high school that, in 1947, even in Jim Crow Virginia, the State offered money to improve the school, yet the all-White Prince Edward County School Board refused to accept the State's funding.

Barbara took her concerns about the school to a teacher, who responded by asking her to do something about it.

After months of contemplation and imagination, she began to formulate a plan. Seizing on the moment, on April 23, 1951, Barbara Johns, a 16-year-old high school student, led her classmates on a strike to protest the substandard conditions at Robert Russa Moton High School.

Her leadership and advocacy ultimately garnered the support of NAACP lawyers Spottswood Robinson and Oliver Hill to take up her cause and the cause of more equitable conditions at Moton High School.

After meeting with the students and the community, they filed suit in Federal court in Richmond, Virginia.

The Virginia case was called Davis v. County School Board of Prince Edward County, and, in 1954, Davis became one of the four cases decided in the Supreme Court in Brown v. Board of Education.

There is a saying that ''courage is not the absence of fear, but the assessment that something else is more important.'' Her courage led to the powerful language in the Brown decision that still rings true today.

In the case, the Court said:

''Today, education is perhaps the most important function of State and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the Armed Forces. It is the very foundation of good citizenship. Today, it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms.

''We come, then, to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.''

And the Court concluded: ''We conclude that, in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.''

Those powerful words were provoked by the courage of Barbara Johns and others like her who led the charge to bring the cases to the Supreme Court.

The example of Barbara Johns should serve as an example for all of us. She did not sit on the sidelines, and neither should we.

We should speak out when we see injustice, we should act when we see inequity. The best way to honor her legacy is to act in the same spirit that she did.

Mr. Speaker, I thank my colleague from Virginia (Mr. GARRETT), for providing an opportunity to remind us of our obligation to do the right thing.

Mr. GARRETT. Mr. Speaker, I thank Congressman SCOTT for his comments.

I refer to myself as a nerd—which is okay, because the nerds usually win in the end—who loves history. My acquaintance with the story of Barbara Johns did not begin as a school student taking Virginia history in Virginia, it did not begin as a student at a top tier university studying history.

It began when I became a candidate for the State Senate of Virginia. The district that I wished to represent and had the honor of representing included Farmville. So when I went to Farmville, I had the opportunity to attend a function at the Moton Museum, which stands where R.R. Moton High School stood and, in fact, encompasses the bulk of that facility.

I heard about Barbara Johns, and I thought: Who is Barbara Johns? And the more I learned about Barbara Johns, the more I was amazed that I didn't know the answer to that question.

When we put in a bill to commemorate April 23, the day that this courageous, and I would stress without ceasing, 16-year-old student—when I was 16 years old, I think I was more concerned with the zit on my nose and whether I could get a homecoming date than whether I was going to change the world.

But when I learned more about her and we put in a bill to commemorate April 23 as a holiday in the Commonwealth of Virginia, it was my hope that one day someone would look at a calendar and see Barbara Johns Day and say: Who was Barbara Johns?

Someone had the temerity to say to me: Well, Tom, this is Black history.

I reject that on its face. This is not Black history or Brown history or White history. It is American history, and it is red, white, and blue.

□ 1715

That this country is the worst nation in the world, except for all the others, to paraphrase Winston Churchill, is something that I am proud of.

That we were founded by geniuses like Jefferson, who was a flawed and fallen man by virtue of his participation in an evil, evil enterprise that was the slave trade, does not diminish the brilliance of the idea expanded upon by Locke and Rousseau and Hume, of natural law that all people have certain fundamental rights. That is who we are as a country.

The reason I postulated earlier that the American Revolution should never end is because in the preamble to the Constitution, our Founders gave us not a perfect union, but sought to establish

a more perfect union. And the word more's inclusion is important because it implies the perpetual need to act because, in any institution governed by flawed and fallen human beings, there will always inherently be imperfection, but that does not absolve us of our duty to do the best we can.

You can judge a nation and its character by the people whose virtues it extols. And to suggest that Barbara Johns is an American hero is to understate it.

Again, a revolution to cast off a tyrannical crown, followed decades and decades later by a civil war to abolish a horrific, horrific activity, followed by a fight for generations to ensure suffrage to an entire sex, followed 30-some years later by a young girl with the courage to stand up and assert that justice should be equal for all, and that transcends even educational opportunity, inarguably.

So I hold in high regard foundational heroes like Patrick Henry, and I have spoken from this spot on this floor before and talked about his speech: ''I know not what course others may take, but as for me, give me liberty or give me death.''

But my favorite ''Patrick Henryism'' was when, on speaking on separating from the crown, someone from the back of the room shouted ''Treason,'' and Henry said: ''If this be treason, make the most of it,'' a willingness to stand and fight and die because something was the right thing to do.

Now, let's skip forward to a 16-year-old girl in the segregated South. She undoubtedly had the fortune of a strong family. I have had the honor of speaking on multiple occasions with her sister and an amazing uncle in Vernon Johns, a pastor first educated at Virginia Theological Seminary and then at Oberlin and, I believe, at the University of Chicago.

But Vernon Johns studied what? The classics and natural law, the Jeffersonian ideas that liberty was inherently a gift to humans, not from a government, but to be protected thereby. And so I like to imagine, and presume it is true because I asked Joan Johns, with whom I spoke last, if they ever discussed these sorts of things with their Uncle Vernon, and she said, of course; that someone had to stand up and assert these God-given rights in a land where they weren't protected by the government in accordance to its responsibility.

Who did that? A 16-year-old young woman.

Okay. What was the cost? Well, no different than Patrick Henry, who said: ''If this be treason, then make the most of it,'' quite literally, Barbara Johns had to move away for fear for her life.

People think about the civil rights movement as many things. Many don't realize that well over 1,000 people died, a lot in civil unrest, but also in things like horrific bombings of churches based on the color of the skin of the people who attended them.

So the threat to Barbara Johns was existential and real but, in the face of that threat, she stood, and she led. And it wasn't about self-aggrandizement. There was no future political career. Barbara John's aspiration in life was to be a librarian. She became one.

But when her moment came, she led. And she led, not to take from anyone, but to give to everyone what is inherently their right and should be cherished and protected by government.

And so we have, with incredible humility, had the opportunity to serve in this hallowed institution, and this week, have filed for Barbara Johns to receive the Congressional Gold Medal. It is the highest award that can be bestowed by this Chamber.

Tragically, Ms. Johns passed from this life in 1991, but I would submit that she is well-worthy of this honor. And then if bestowing this honor upon her posthumously will lead more American young people to read and learn about the leadership and courage demonstrated by this school student from Prince Edward County, Virginia, then it is well worth doing.

I in no way, shape, or form mean to make light, but if Bob Hope and Roberto Clemente and John Wayne and Arnold Palmer and Dr. Muhammad Yunus and Louis L'Amour can receive the Congressional Gold Medal, then, by gosh, Barbara Rose Johns Powell deserves it.

This is a story that should be told. And it is not a political story, it is an American story. It is not a black or white story, it is an American story. It is not a story about a powerful woman, it is a story about a powerful human being.

We, collectively, are great because individuals have been allowed and encouraged and supported and uplifted and extolled for doing great things. And it is ridiculous that I should have studied Virginia history, American history, and then majored in history in college, grown up less than 100 miles away from where this young woman did this amazing thing, and have never heard her name.

So today, I genuinely and sincerely thank my colleague, and I hope that somebody at home somewhere is Google searching Barbara Rose Johns, because hers is an amazing story, and we stand on the shoulder of such giants. It is overdue that she be recognized for her contribution to our American family.

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

## OPIOID ABUSE ACROSS THE NATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from North Carolina (Ms. FOXX) is recognized for the remainder of the hour as the designee of the majority leader.

GENERAL LEAVE

Ms. FOXX. 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 gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the gentlewoman and my chairman from the House Education and the Workforce Committee for hosting this Special Order tonight on an issue that is impacting every ZIP Code in America.

The gentlewoman's poster says it all. This is close to home: Life beyond opioids, and stability, health, and healing.

The opioid epidemic is considered by many to be the worst public health crisis of our generation and, according to the National Institutes of Health, more than 115 people in the United States die every day from an opioid overdose.

This epidemic is not an urban problem and it is not a rural problem. It is a national problem. No ZIP Code, as I said, in the country is immune from this crisis. This is an epidemic that transcends all socioeconomic classes, and all of America's people, all of America's diversity of families is at risk.

Heroin and pain pill addiction doesn't discriminate on age, race, gender, or socioeconomic status. Your neighbor could be using heroin and so could their high honors high school student.

Unfortunately, the people of Pennsylvania have seen some of the worst. Last year, the crisis surged when Pennsylvania experienced a 44 percent increase in opioid overdoses. It is just tragic what this does to families and how it steals lives and futures.

Addressing this unprecedented rate of opioid-related death means that we must focus on nearly 2.2 million Americans who currently struggle with opioid addiction. No one person can beat addiction alone, and overcoming this epidemic will not only take a communitywide effort, but a nationwide effort.

The breadth of this epidemic requires us to respond with a multifaceted approach. Congress has engaged many agencies, including the Department of Justice, the Drug Enforcement Administration, National Institutes of Health, the Centers for Disease Control, and Customs and Border Protection, just to name a few, to help combat opioid abuse.

This crisis has torn apart families. It has weakened our workforce and overextended our healthcare system. As a nation, we must act with a unified urgency to help those who have fallen victim to addiction in every corner of the country, and we must not forget their families who have seen firsthand the crippling effects of this disease day

in and day out. I know we are not only prepared to do so, but we are prepared to win this fight.

I have had the opportunity to convene opioid crisis community roundtables throughout my congressional districts to hear firsthand from families, from healthcare providers, from law enforcement, from emergency medical services, from those who are involved in the treatment community, and the impact is just so significant.

After coming away from these, I have also come to the conclusion, what is important to focus on really is the substance abuse behaviors. In one community in Clarion County, the issue at one time was opioids, and then it went to heroin. But when the heroin started to be mixed with other really deadly drugs and components, and so many people died within the user community, they moved on to the new—they went actually back to—they want to Suboxone, which is what we use to treat opioid and heroin abuse. And when the Suboxone—those who were dispensing that as treatment tightened that, the community found that they now had a crisis, they went to meth.

So it is so important, as we work on this, we keep a broader perspective of dealing with the substance abuse behaviors, because the drug of choice will change, based on economics, based on availability; but this, our goal should be to increase awareness. Our goal should be, acknowledge there is a problem, and I think we have done that.

In my work in healthcare and, specifically, I worked in acute psychiatric services for a period of time, I know that until you acknowledge you have a problem, you can't really deal with it. I think, across the board, in your communities, our States, at a local, a State, and national level, we acknowledge we have a problem, and that is an important first step.

I am proud of what we have done here in Washington, legislatively and providing funding, but this is an all-hands-on-deck problem. It requires prevention. That is where education is so important. Prevention, education, treatment.

We have to equip our youngest generation with decisionmaking skills, with discernment, so they have the filters to make better decisions when they are exposed to access, when they are approached by others, when they are preyed upon in terms of those who push drugs.

We certainly need to equip our medical professionals to improve how they prescribe, how they dispense medications, and increase their utilization of alternative pain management.

As a former rehabilitation professional, there are some great tools out there to help deal with managing pain. One of the things that, culturally, we have come to the point where we try to eliminate pain, and I think that is what has pushed us with the opioids into the situation that we are in today.

And we need to equip our communities with evidence-based treatment, something closer to home. And so I do very, very much appreciate Chairwoman FOXX's leadership on education and workforce issues, and really appreciate her putting this Special Order together this evening and leading us as we address what truly is the public health crisis of our generation.

Ms. FOXX. Mr. Speaker, I thank the gentleman from Pennsylvania. We all know and appreciate his background and his experience in healthcare and the wonderful wisdom that he brings to us on the Education and the Workforce Committee, not only on this issue, but on so many issues facing Americans today.

As the gentleman pointed out, the health and stability of our communities are in serious trouble because of opioid abuse across the Nation.

Since 1999, the opioid death toll has quadrupled. There are many estimates of how many Americans die in a single day because of opioids, and we are so sorry to hear of any deaths from opioids.

□ 1730

It is heartbreaking that all of those estimates are in the hundreds. These people were fathers and sons, mothers and daughters, neighbors, coworkers, and friends. They were real people in our communities.

I have had families from the Fifth District come to see me to share their heartbreaking stories of family members, often adult children, who have died from opioids. My own heart breaks for them and the pain they are feeling for their tragic loss.

There are newspaper stories and obituaries in newspapers reporting on opioid abuse and deaths and its devastating impact every day.

As opioids continue to claim the lives of Americans in cities and towns across the Nation, it is our responsibility to work together to find solutions that will bring relief to American communities.

The Committee on Education and the Workforce has recently held two hearings on opioids, and we have learned from employers, educators, local leaders, and addiction experts about how chronic and rising rates of opioid misuse and abuse are impacting families, schools, workplaces, and communities as a whole. We have heard about how the epidemic's societal burden on households and the private sector exceeded $46 billion in 2016.

In schools, many principals attribute a recent decline in attendance to parents not getting up and having their students attend school because the parents are using drugs and they are not able to either take the children to school or have them ready to ride a bus.

I am pleased to share the floor tonight with my colleagues from the Education and the Workforce Committee, who have not only had hard conversations with their constituents about the toll opioid abuse has taken on their communities, but they have been having productive and helpful conversations with each other about possible solutions.

There is no single answer to solving the opioid problem, but if we are to bring this deadly chapter to an early close, we will need collaboration across the aisle, ingenuity, and a uniting commitment to bringing peace and healing to our communities.

I will once again yield to my colleague Mr. THOMPSON for any closing comments he would like to make.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I appreciate the gentlewoman's leadership on this.

The fact that we had two great hearings, which were on top of a lot of the work that we have been doing as a Congress, this really is an all-hands-on-deck public health crisis, and we know that because of the work that we are doing in Education and the Workforce.

This transcends education. It impacts the workforce in a significant way at a time when we have an estimated somewhere between 5 and 6 million jobs available in this country; and we have increasing job growth, and we have an aging workforce which is retiring, a significant number each and every year.

This is an issue that impacts our national security because it takes individuals out of the workforce not able to pass that drug test, not able to be able to qualify.

This is obviously an all-hands-on-deck because we see so many different committees and their members across both sides of the aisle who have been working on this, the amount of legislation going back.

One of the more memorable ones is the CARA Act, the Comprehensive Addiction and Recovery Act, that was like 16 individual bills—16 or 18, I don't remember exactly how many—that we debated on this floor and we passed on this floor. We rolled it into one package, and it was actually passed by the Senate, and the President signed it.

It dealt with things from little unborn babies who were born addicted, a terrible situation with the suffering of those new babies because they were born to moms who were active addicts, to veterans that VA physicians—and there are some really great VA physicians. I don't want to paint them with a broad brush. But there were some that were referred to as the candy man because they dispensed the pills like Skittles is what it looked like, and their solution to everything was to medicate, and everything in between.

Also, providing resources to our local communities so our local communities could engage in this, great programs that have been around for very long time like the Drug-Free Communities moneys that are used by parents and kids and teachers and community leaders who come together to deal with and confront this epidemic in their communities.

I have a community up in Erie County, Iroquois School District, and it is a

school district that has been devastated with overdoses. Most of the children in that school, a middle school—and it was heartbreaking—either had a family member or knew someone who had died of an overdose.

Some of the stories you hear, and one that really stands out with me because I have talked with this mom who was in my congressional district, her son, unfortunately, had a disease, Crohn's disease, and had to go through some surgery as a small child and endured that rather well. It worked out well. But when this young man turned about 16, 17, 18 years old, he had to go back and do surgery as a result, and this time, the painkillers they gave him he used basically one time and his life spiraled out of control.

This was an athlete. This was a kid who did so well in school, but his life just went into almost a death spiral, and he wound up being incarcerated—and all because he wasn't wired to be able to handle these painkillers.

That is a part of this battle. We need better science. We need better medicine so we can determine who can tolerate certain medications and who cannot, whose life would be transformed in such a negative way by using a painkiller one time. But that certainly is all a part of this battle.

Mr. Speaker, once again, I thank the gentlewoman for her leadership on this and thank her for hosting this Special Order tonight.

Ms. FOXX. Mr. Speaker, I thank Congressman THOMPSON, and I know the people of his district are well served by him. I thank him for his service on our committee, on the Agriculture Committee, and all that he does to help us write good legislation and pass good legislation.

As Congressman THOMPSON said, unfortunately, this problem with opioids affects people at all ages and in all walks of life, at every income level, every category of people—male, female, old, young—but we particularly grieve over the young people.

We have heard about babies becoming addicted because their mothers were addicted and of the work that is done to help those babies become free from opioid addiction.

We have heard about the veterans who become addicted because of the treatment that they have received. We know nobody is attempting to get anyone addicted to opioids or anything else, for that matter, but we realize that over the years, we have had stronger use of these drugs than we probably should have had used.

There are many ways to approach pain relief and pain management, and, unfortunately, in the past, too often it has been the path of least resistance.

We do hear over and over the stories about young people who suddenly get addicted because of surgery or an injury, and it happens sometimes very, very quickly.

As Representative THOMPSON has said, it has a huge impact on jobs. We have, right now, 6 million unfilled jobs in this country, and the reasons are very many; but some of the reason is because we have so many people addicted to opioids and other drugs, and they are simply unable to pass drug tests.

We hoped, by this graphic here, to illustrate that the problem with opioids is very close to all of us at home, very close to us; and what we are hoping for is to find ways at the Federal level to get beyond opioids, to help people who are addicted have some stability, regain their health, be healed of their addiction.

But this cannot all be done at the Federal level, and we know that. In fact, too many people look first to the Federal Government for an answer. The Federal Government usually is the worst place to come for an answer. It usually has to be done at the local level, then at the State level, and, last, the Federal level.

But I know, as Representative THOMPSON has pointed out, many Members—in fact, I believe all Members of Congress now—are concerned about this problem we are facing with opioids, and we will answer the call to do something. My only hope is that we put everything into perspective.

As we have learned from our hearings and talking to other people, much of this work needs to be done in the family to start with, in the medical communities, and once people become addicted, then in the local communities as people collaborate, work together to help people not become addicted to opioids, and once they do get off of the addiction, to get back to a normal life.

I know that all of us pray for those who are addicted and pray that they will find a suitable program to help them become free from opioid addiction, and for those who have never become addicted, to be in a great environment so they never seek out drugs as an answer, because they are not an answer.

Mr. Speaker, I thank my colleague for being here tonight, I thank the staff, and I yield back the balance of my time.

## RUSSIAN INTERFERENCE INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Colorado (Mr. PERLMUTTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. PERLMUTTER. Mr. Speaker, I want to thank my friend Representative FOXX for bringing up a subject on opioids that is obviously plaguing so many places in America. It is a very topical and important discussion to have.

I want to change the subject, Mr. Speaker, and talk about a number of things that really concern me and many Americans across the country. That concern is:

Why has the President not released his tax returns?

Why is he so concerned about the Mueller investigation into the interference by the Russians in our elections? What is it that is being hidden? What are people afraid of? And why continue to threaten the FBI, threaten Mr. Mueller, threaten Mr. Rosenstein, threaten the Department of Justice, and, really, the police that are trying to get to the bottom of the interference by Russia in our elections.

□ 1745

And so I think we have got to take a look at exactly what has happened so far in that investigation. And that investigation with Special Counsel Mueller has resulted now in the guilty pleas of Michael Flynn, National Security Advisor; Rick Gates, former Trump campaign adviser; George Papadopoulos, former foreign affairs adviser to the Trump campaign; Richard Pinedo, a gentleman who committed identity fraud in the Russian probe; and an attorney named Alex van der Zwaan.

Currently under indictment are Paul Manafort, former Trump campaign chairman, 13 Russian nationals, and three Russian entities.

Now, why is this important? Congresswoman FOXX was talking about opioids. That clearly is important. Jobs and economic security of this Nation is something that I like to be talking about, or doing away with the opioid epidemic. But what is important about this comes down to the very pillars of America, the pillars of freedom, liberty, and independence.

Because if another nation is directing the outcomes of our election, those key pieces of who we are are threatened. We broke away from England to become a sovereign nation and not to be affected and ruled by some other country. So at the heart of this, it is about who we are as Americans, who we are as a country, to get to the bottom of Russian interference in our elections.

What they did was unprecedented and is something that is bigger than the election of 2016, maybe the election of 2018. It is about our ability to govern ourselves without interference of somebody else, some other nation.

In Congress, we passed an act that provided for additional sanctions against Russia because it is becoming more and more apparent of their interference with our elections. But the administration was reluctant to impose those sanctions. The question is, why?

The Ambassador to the U.N., Nikki Haley, just recently with respect to sanctions said: We are going to increase sanctions because Russia may have had some role in Syria with the different chemical weapons that were used.

And she went out so far as to say, we are going to impose some additional sanctions, but then had the rug pulled out from underneath her by the White House saying: Oh, wait a second. Even

though you are somebody I appointed and you are our U.N. Ambassador, we think you are way ahead of yourselves on the sanctions against Russia.

My question is: Why? What is it that is holding the White House back? I think it comes back to something I said at the very beginning, and something we asked for a year ago, which were the President's tax returns, which we have yet to see.

I mean, what is it that is in there that is so worrisome? Every other candidate for President, every other President turned over their tax returns. There is so much smoke here with these convictions, with these indictments, with what we know in terms of the interference in many States across the Nation, that we have got to get to the bottom of this.

The continued threats that have come from the White House to stall or limit the investigation, the ability of the law enforcement officers of this Nation, the FBI, for goodness' sake, to do their job, is something none of us could have ever expected.

And so even though most of us would much rather talk about jobs, we would rather talk about the environment. We would rather be dealing with subjects that affect day-to-day Americans, everyday Americans. The problem is the values of this Nation are under attack, the freedom, liberty, and independence that we enjoy that is so key to everything we believe in that we are not going to let this go. We are going to stand up for the rule of law and for honesty, and for allowing law enforcement to finish its job without being constantly threatened.

Mr. Speaker, I am joined by a number of my friends who also have similar concerns to the ones I have raised. I would like to yield to my friend Mr. BOYLE from Philadelphia, Pennsylvania, the Congressman for that city, and allow him some time to bring us his thoughts and raise his concerns.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I want to thank my colleague from Colorado who has done such a wonderful job of organizing us, month in and month out, to stand here on the House floor, really, more than anything, in a sincere and genuine effort to attempt to prevent a constitutional crisis from happening.

It is vital—not as Democrats or as Republicans, but as Americans—it is vital that we allow this special counsel investigation to continue and to reach its natural conclusions, whatever the facts may show.

I certainly hope, and I believe, that all of us should hope that it won't show collusion; that it won't show anything more than what has been reported about interference in our 2016 elections. But it is vital to the integrity of our democracy and our national security that we know that for sure.

Now, one would think—given the record interference, really attack, from the Russian Federation upon the United States during the 2016 election, just as they have in other country's elections, such as Germany, France, and of course repeatedly on the Ukraine—one would think that the President of the United States would say, yes, we must get to the bottom of this.

Instead, this President has not once asked his staff—as far as we know, and as has been verified by folks like the Director of the DNI and the Director of the CIA—has not once made it the mission of the U.S. to combat this interference. That is worrying.

We also know now that on two separate occasions, the President has seriously considered firing the special counsel. That is exactly what President Nixon did in October of 1973, what has been called the Saturday Night Massacre, that prompted a constitutional crisis then. It would prompt a constitutional crisis today.

Now, the President keeps calling the Mueller investigation a witch hunt, which is interesting because that is the exact term that President Nixon used. And if you look at headlines from that day, it was exactly the same term Nixon used. But the President calls it a witch hunt and says it hasn't produced anything.

So far, the investigation of the special counsel has produced 17 indictments, including 5 guilty pleas—some witch hunt. I don't think those 17 individuals under indictment consider that a witch hunt and, certainly, the 5 individuals who have already pled guilty, including one who worked in this White House.

So I will pause there, because I know there are a number of our colleagues who want to speak on this important issue. This is something that should unite us all. I am appreciative to those Republican colleagues, especially in the Senate, who have spoken out publicly and say that they support the Mueller investigation and support the independence and integrity of it, but it is time that we don't just say that we support it.

I do think it is time that we have legislation that protects it so that we can ensure that this investigation will reach its natural conclusion.

Mr. PERLMUTTER. Mr. Speaker, and I say to my friend from Pennsylvania—we were talking about the indictments and the guilty pleas—the last time we really had a special counsel appointed was in 2003, and it took 2 years for one indictment. We are a year into this investigation, and we have got 5 guilty pleas and 17 additional indictments. So we ought to be all taking real stock of what is actually happening here.

I now yield to my friend from Missouri, EMANUEL CLEAVER, one of my best buddies here in the House, former mayor of Kansas City, Missouri, for his thoughts on this subject.

Mr. CLEAVER. Mr. Speaker, I am thankful that we have this moment that we are using to make some expressions of concern, and I thank Mr. PERLMUTTER for organizing it.

Let me preface my comments, Mr. Speaker, by saying that when President Trump was elected, against the advice and concern of my family, my many campaign workers, and supporters, I attended the swearing in because I believed—and still believe and will always believe—that my responsibility as a Member of Congress was to be at the inauguration as a Member of Congress.

Then at the first joint session—not the State of the Union, but the joint session—many of my friends and family said: You know, do not go. The President is alien to our concept of decency and democracy. I came anyway. I sat not too far from where I am standing now.

I also then went to the State of the Union. Some of our colleagues chose not to come. When there were Articles of Impeachment placed on the table for a vote, I voted to table it against a person I have known in Congress longer than I have known anybody else because I know he is a decent and thoughtful person, Congressman AL GREEN. He had brought it to the floor. I voted to table it, along with just about every Republican and a sizeable number of Democrats, and the reason was, I believed that it was important for Mr. Mueller to complete his investigation.

I resent any discussion about trying to impeach the President. I am not in that group.

I must say, however, how troubled I am by many of the things that I have seen. And when I grew up down in Texas in the 1950s and 1960s, in elementary school at the Booker T. Washington Elementary School, we had these tests. Back then, there was a great threat from Russia. And economically, Wichita Falls, where I attended high school, was completely dependent on Sheppard Air Force Base for its survival.

My first job was at the SAC base, the Strategic Air Command. I cleaned up. I thought it was the biggest job any human being could get. I was 15 years old and, man, I was big time. I cleaned up the barracks for the SAC Command.

And then at school, we had to get under our desks for a drill for an attack from Russia. And we would hear the horn. All over town, schoolkids were getting under their desks. The truth is, we all would have been burned up. I am not sure that a wooden desk was going to protect us. But I was a kid and I didn't know any better, so all of us got under our desks.

But it allowed me to understand one thing, and I have never forgotten it: At that time, Russia, the Soviet Union, was not our friend. And over that period, a lot of things have changed. That has not changed.

And so let's fast forward to our last Presidential election. It is indisputable. Every single intelligence agency in the United States, as well as intelligence agencies with our allies in

Europe, say that the Russians interfered with our election—not attempted to do so, but interfered.

□ 1800

Did they change the outcome of the election?

There is no evidence to support that. However, there is plenty of evidence to support that Russia remains the enemy of the United States of America. I necessarily am going to become increasingly concerned when the President of the United States refuses to say even one bad thing about Vladimir Putin, who is—and I don't like to call people names—I don't call my colleagues bad names; that is not who I am—this man is a bully and a danger to the entire world.

The most troubling moments I have are when I hear people say, as I did on TV the other night, they were interviewing a woman and she said: ''I don't care anything about Russian meddling. All I want them to do is just let Mr. Trump have his agenda approved.'' And I am thinking: What is happening to this Republic?

I have five grandchildren, the youngest of which just turned three last month. My work in Congress, my ministry in the United Methodist Church for 37 years, my time on the city council, my time as mayor, all was dedicated to what I wanted for my grandchildren. I want them to enjoy the same kind of freedoms that we enjoyed.

Mr. Speaker, anybody who is watching this and who has even a semblance of objectivity would have to say something is dramatically wrong when the President will, by Twitter, attack anybody and everybody—horses, children, little animals—anybody he will criticize and call them names, except Vladimir Putin. Vladimir Putin is the only person he will not criticize. This man orchestrated an attempt to damage our democracy.

What Putin did—and it was brilliant—I have to say he is a devilish man, but he created a beautiful way of doing it. He knew the weaknesses of the United States and so he tried to exploit it. And it is still going on.

For example, just a few weeks ago, one of those Russian bots had a deal on the internet advising White Americans not to go and see the movie Black Panther. Inside this message online is that African Americans are attacking white movie-goers.

Now, of course, that didn't happen, it is not even remotely the truth, but Russia understands how to get to us. They look at our weaknesses and they attack. We cannot help in that process.

Mr. Mueller needs to complete his investigation. I will never support doing anything legally in this body until Mr. Mueller completes his investigation.

I thank Mr. PERLMUTTER for getting us together. I think that we have got to make the American public conscious of what is going on and maybe, more importantly, what is not going on.

If we are able to do that, this Republic, the greatest Republic that God Almighty has ever blessed to exist, the greatest Republic in the history of this planet, is going to be in jeopardy.

Mr. PERLMUTTER. Mr. Speaker, I thank my friend from Missouri, and his words, as always, are powerful and right on the mark. We think this is serious business and it is nothing that we take lightly.

My friend, Mr. HUFFMAN from California, is somebody who has given this a lot of thought, and he wonders why the President doesn't speak out against Vladimir Putin, he wonders why the President hasn't turned over his tax returns, he wonders why the President has attacked the FBI, he wonders why the President has attacked the Department of Justice, just as I do.

Mr. Speaker, I yield to the gentleman from California (Mr. HUFFMAN), my friend.

Mr. HUFFMAN. Mr. Speaker, I thank my friend from Colorado for his leadership and convening these conversations. It was really helpful to hear from our friend from Missouri, who reminds us that this is really a big deal, this Russian meddling, and that we have to keep pushing to get answers as to why our President behaves so strangely when it comes to Russia, and we have to hold anyone who may have been part of that Russian interference fully accountable.

I will tell Congressman PERLMUTTER that constituents in my district, and I think a growing number of people around this country, are extremely concerned and growing more and more concerned about this dark cloud of corruption over the Trump administration; about the possibility of collusion between the Trump team and a foreign government to affect the 2016 election; about the obstruction of justice, the pattern of lying about even the most basic facts; and just based on what has already come out through the special counsel investigation and through the media and, to some extent, through congressional investigations, their level of concern is really growing.

This week, I want to focus on one aspect of these investigations that we have tried to push here in the House and in the Senate: the issue of privilege. I am not talking about the kind of privilege where a billionaire's son-in-law gets a job inside the White House, even though he has no foreign policy experience and can't get a security clearance. That is a different kind of privilege.

I want to talk about the issue of executive privilege. This is an idea that Presidential communications need to be kept out of the public eye, even when Congress or the courts issue subpoenas and request that information.

Presidents have always kind of tried to claim that this type of privilege is implied in the Constitution's separation of powers. It is an argument that a President might not get as candid and fulsome advice from his Cabinet and others if all of it was going to be publicly disclosed. So I can appreciate that. But the Trump administration has taken this notion of executive privilege to extreme and absurd lengths. I think we need to talk about that.

Just a little quick historical aside, though, on executive privilege. The concept and the limit of executive privilege has really only been tested at the Supreme Court in a pair of Watergate-related lawsuits in the 1970s. This came about when the special prosecutor sought access to President Nixon's secret Oval Office tapes.

In that case, the court rejected President Nixon's attempts to quash a judicial subpoena. The unanimous decision of that court was that the President had to hand over these tape-recorded conversations with his closest advisers about the Watergate break-in. Of course, we know that was the beginning of the end of the Nixon Presidency.

So back to the modern era.

Over the past year, we have seen numerous Trump officials, and even some who never worked in the White House, refuse to answer questions from Congress, asserting some variation of this executive privilege. In the now-defunct House Intelligence Committee investigation we have seen it. We have seen it in the Senate Intelligence Committee investigation.

I think we need to take a look at how this is being used or misused. We have seen witnesses, literally on a break from their testimony, take phone calls from the White House, where they get instructions about what questions they can answer and which ones they can't.

Essentially, President Trump has treated the executive privilege as if it is a gag order he can invoke on those around him. It is sort of like the hush money nondisclosure agreements that he has entered into with porn stars and playmates and all sorts of others to keep embarrassing or damaging information out of the public eye.

A few specific examples of this and why it doesn't hold up.

In June 2017, Attorney General Jeff Sessions was testifying before the Senate committee about the firing of James Comey. He refused to answer certain questions, but he did choose to answer others that he thought were helpful. He claimed that he was protecting the right of President Trump to assert the executive privilege.

Well, first of all, Sessions can't selectively choose when to invoke the privilege and when not to. There is this thing called waiver, and you don't get to cherry-pick the stuff that you think helps you and then invoke the privilege for the stuff that doesn't.

But the second point is that the Attorney General even admitted that he does not have the power to claim executive privilege. He said: ''I am protecting the President's constitutional right by not giving it away before he has had a chance to weigh in.''

The President hasn't done that. In fact, the President has yet to assert

the executive privilege, but he has had all of these other folks on a short leash, counting on them to assert the privilege.

So then we go to January of 2018. Steve Bannon was testifying in the House Intelligence Committee. He only agreed to answer 25 specific yes or no questions that had been drafted by the White House.

So, on a bipartisan basis, the committee issued a subpoena to force Bannon to answer these questions, but he continued to stonewall and the committee never followed through. Again, why Bannon's assertions of the privilege don't pencil out.

In the United States v. Nixon, the Supreme Court made very clear that public extrajudicial disclosure of a privilege like the executive privilege is a waiver. So right off the bat you have the problem that Steve Bannon spilled his guts in ''Fire and Fury'' for the whole world to see. He has made public extrajudicial disclosures of all manner of communications involving the Presidency on all of these subjects. But he has also played this pick-and-choose game, much like Attorney General Sessions. Even if he had the privilege to assert for himself, which he doesn't, it just doesn't hold water.

Now, some of the oversight that Bannon has been ducking has to do with the transition period before Donald Trump was even President. Obviously, there is no executive privilege if you are not yet the executive. So that is another problem.

When he was asked whether he was being instructed by the President to invoke executive privilege, guess what? He refused to answer. Our friends in the House Intelligence Committee were in such a hurry to shut down their investigation that they did not move to hold him in contempt of Congress, and they never followed through on their subpoena.

Another example.

January 2018, Mr. Trump's former campaign manager, Corey Lewandowski, appeared before the House Intel Committee and surprise, surprise, he refused to answer all sorts of important questions. Since Mr. Lewandowski never served in the Federal Government, it would be pretty preposterous to assert executive privilege as a way to evade Congress' questions. But it is up to the majority in Congress to actually force him to answer these questions.

Again, Mr. Trump is onto, apparently, a winning strategy in this Congress. He instructs others not to answer questions, suggests they should assert the privilege, or some variation of it, and then counts on a compliant majority in this House and in the Senate to simply not follow through.

Something similar happened in February 2018. Hope Hicks, the White House communications director, was testifying before the House Intelligence Committee and would not discuss anything from the inauguration forward. The committee declined to issue a subpoena, despite the request to do so from our ranking member, ADAM SCHIFF.

So you may ask in these various situations: Why wouldn't President Trump himself simply assert the executive privilege?

I think one reason for that is we can safely say that it makes him look even more guilty. That is hard to do, based on the way he has conducted himself so defensively with such a seemingly guilty state of mind in his tweets and other public statements, but the assertion of the privilege would be a very clear signal that he is trying to impede legitimate investigations.

So he would rather have Bannon and Hicks and Lewandowski and Sessions stonewall for him, and then count on a compliant hyper-partisan Congress not to follow through. That is why we have so many unanswered questions and why it is so important that you continue to bring us together to talk about this to make sure the American people know that we are going to keep talking about it and we are going to keep asking what they are hiding and what they are afraid of.

Mr. PERLMUTTER. Mr. Speaker, I will wrap up here, but I think there is one word we ought to change, because the word doesn't justify or doesn't really describe what occurred with these elections.

What occurred with the elections by the Russians was not meddling. It was sabotage. That is really what we are talking about. It wasn't just somebody saying to your mother-in-law: ''Please don't meddle in my business.'' This is sabotage. This was an attack. This was interference and a violation of our sovereignty, of our independence, of our freedom.

So we start with that, and then we ask these questions of my friends on the Republican side: Had the tables been turned and this was a Democratic administration, can you imagine what kinds of investigations would be underway today, what kinds of subpoenas would be issued, and not to allow the Intelligence Committee to shut down that investigation when none of the questions were answered because of this innovation of executive privilege that they don't hold, because this is much bigger than all of us.

□ 1815

Representative CLEAVER talked about the fact that Russia is interfering, all around the world. They are not our friends. I would love to see something develop where there really is some kind of an alliance, but we definitely don't have that now.

There are a lot of questions:

Where are the tax returns?

Why haven't they been presented to the Congress?

Why are we not fulfilling the law that we passed on sanctions?

Why are we holding back even though Nikki Haley said we are going to issue more sanctions concerning Russia's role in Syria?

Why the continued attacks by the administration against our FBI, our chief and best law enforcement agency?

Why continue to undermine the investigations?

These are serious questions, and they can't be swept under the rug. This is serious business. It goes to the heart of the values of this Nation, of freedom and independence. We have got a lot of work to do. I hope there is a bright light shone on all of this and that these investigations run their full course to see exactly what has happened.

Mr. Speaker, if my friend from California would like to close, I would offer him that opportunity.

Mr. HUFFMAN. Mr. Speaker, I will close on my end but with a bit of a question for my colleague:

We have talked about how big this is. I think ''sabotage'' is not too strong a word for what the Russians did in the 2016 election. I think anyone who was involved in a criminal conspiracy with them to pull that off, certainly there are criminal penalties, violations, possibly up to and including treason, that may apply. So we have to get to the bottom of this. We have to get to the truth.

And if Congress won't do its job because of partisan reasons and won't follow through and hold folks in contempt when they ignore subpoenas and when they refuse to answer questions, we can at least protect the special counsel investigation so that that lifelong Republican leading this investigation can get the truth out for the American people.

Mr. Speaker, I guess my question for Congressman PERLMUTTER is: Given how big this is—and we have never seen anything like this. We have never seen all of this evidence that a candidate for President—folks at the top of his campaign were involved in these illicit activities with a foreign power, this extensive sabotaging of our election, and all of the coverup and the obstruction and other problems that are coming to light. Given all of that, how will history judge those who refuse to let the special counsel get to the bottom of it all so we can all know the truth?

Mr. PERLMUTTER. Mr. Speaker, I hold out hope for all of the Members of this body to want to have the truth and allow this investigation to run its course. And I hope and expect that the Members—Democrats and Republicans—will support and protect the special counsel, the Department of Justice, and the FBI so that the lawyers and the cops on the beat can finish this investigation. And that is what is key.

So I hope that it turns out that there isn't anything else, that it is 5 guilty pleas, it is 17 indictments, and that is it; we are done. But I don't expect that to be the case either.

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

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

## GENOCIDE AWARENESS AND PREVENTION MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 30 minutes.

GENERAL LEAVE

Mrs. WAGNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

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

There was no objection.

Mrs. WAGNER. Mr. Speaker, I rise in honor of Genocide Awareness and Prevention Month. Today we remember the millions of victims of genocide throughout history, and we recommit to working toward the day when genocide and mass-atrocity crimes are not only inconceivable, Mr. Speaker, but they are nonexistent.

April marks the commemorations of some of the worst genocides in history, including the Holocaust and Rwandan, Cambodian, and Armenian genocides. Time and again, senseless bloodshed has ended innocent lives and fractured families and livelihoods.

My hometown, St. Louis, is home to the largest Bosnian community outside of Bosnia and Herzegovina. This community has shaped what the city looks and feels like. It has added great cultural diversity to the city, immense intellectual capital, thriving small businesses, and a strong religious presence.

Two decades ago, members of our Bosnian community were refugees. In 1995, Orthodox Serbs, under the command of General Ratko Mladic, initiated a horrific ethnic cleansing campaign against majority Muslim Bosniaks. The escalating bloodshed forced 130,000 Bosnian refugees to seek new lives in the United States. Thousands were murdered in Srebrenica. Today I wish to honor these brave men and women.

The resilience of our Bosnian neighbors has enriched our city, and their courage inspires me. It has inspired me to seek change. Tomorrow I am offering an amendment to the State Department Authorization Act of 2018 asking the administration to study countries at risk of genocide and mass-atrocity crimes and craft training regimens for U.S. Foreign Service officers.

Should this bill become law, America's diplomats will have the know-how to respond to those conflicts on the ground and act before violence spirals out of control. Most importantly, this amendment establishes that the official policy of the United States of America is to regard the prevention of genocide and atrocity crimes as a core national security interest.

However, this is just one step in the right direction. The U.S. Government must improve how it responds to conflicts. Last April, I introduced the Elie Wiesel Genocide and Atrocities Prevention Act to improve U.S. efforts to prevent mass-atrocity crimes, named after the courageous Auschwitz survivor. The legislation honors the legacy of Nobel laureate Elie Wiesel and his life work to fight evil around the world.

Mr. Wiesel was just 15 years old when the Nazis deported him and his family to Auschwitz. He was the only member of his family to survive. Having witnessed the near total destruction of his people, he spent his life defending the persecuted. In his honor, we fight to rectify injustice and protect the most vulnerable in our society and across the globe.

As Mr. Wiesel understood so well, the true horror of genocide is that it is preventable, and the U.S. Government has the tools to effect real change. The Elie Wiesel Act would affirm the mission of the United States Atrocities Prevention Board and its work to coordinate prevention and response efforts. It would also authorize the Complex Crisis Fund to support agile, efficient responses to unforeseen crises overseas.

This time, when America says ''never again,'' our actions will reinforce our platitudes and our words. I thank the Chair, Mr. Speaker, and I thank all of my colleagues who share in this fight.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to thank my colleague, the gentlewoman from Missouri, for her leadership. I am honored to join her and other distinguished colleagues this evening in recognition of Genocide Awareness and Prevention Month.

Preventing genocide and mass atrocities is a moral imperative that deserves to be at the very top of our priority list. Mass atrocities are large-scale, deliberate attacks against civilian populations. They include genocide but also crimes against humanity, war crimes, and ethnic cleansing.

After the Holocaust—the systematic, bureaucratic, state-sponsored persecution and murder of 6 million Jews and members of other persecuted groups by the Nazi regime and its collaborators between 1941 and 1945—people all around the world vowed to never again stand by in the face of genocide; but since then, mass atrocities, including genocide, have been committed in Indonesia, Cambodia, Guatemala, East Timor, the former Yugoslavia, Rwanda, Sudan, and South Sudan, among other places. Hundreds of thousands of people have been murdered, tortured, disappeared, or suffered sexual violence; and millions more have been forced to flee with profound humanitarian, political, and national security consequences.

I don't believe the world's failure to prevent atrocities is because no one cares. In this era of instant communication powered by social media, most people I meet have seen and passionately condemn the ongoing atrocities in Syria and elsewhere. Nor is it because no one knows what is happening. Many, many people warned us for years about the potential for genocide against the Rohingya in Burma.

The problem is that we have not been very good at turning knowledge and moral indignation into action to prevent a bad situation from worsening. We must do better. We must do more. This year, in the Tom Lantos Human Rights Commission, which I co-chair along with my colleague Congressman RANDY HULTGREN, we are looking at the tools we have as U.S. policymakers to prevent mass atrocities and asking how we can strengthen them.

We are asking what it would mean to institutionalize an atrocity prevention's lens so we don't wait until it is so late and the problem is so big that all we can do is lament the immorality and the inhumanity and then provide humanitarian aid to the victims and survivors. As we undertake this effort, we know that there is a lot of good work already underway in both Chambers of Congress and on both sides of the aisle to find new ways forward.

One example is H.R. 3030, the Elie Wiesel Genocide and Atrocities Prevention Act of 2017, led by Representative ANN WAGNER and cosponsored by both myself and Representative HULTGREN. We also recognize that government officials cannot do this work alone. We need civil society, in all its diversity, to help us. We need community associations, churches, synagogues, mosques, schools, and businesses to take a stand against hate speech, to teach and live tolerance, to document and denounce human rights violations, to open their hearts to reconciliation based on justice. We need to get to the point where our societies recognize and honor every person's innate human dignity.

And I want to take this opportunity to salute one of the many organizations that are doing just this kind of work. STAND is a student-led movement to end mass atrocities and genocide by organizing and educating their peers and communities. I first met student leaders of STAND in 2005 and 2006, when they were part of the national movement that brought the genocide happening in Darfur, Sudan, to public awareness. They were my teachers during that time.

Tonight, representatives of STAND are here listening to this debate. They push us to do better, and I thank them for their commitment and their vision.

Mr. Speaker, mass atrocities are human rights violations on a grand scale. We must find new strategies to prevent them from happening and more effective strategies to interrupt and stop them at the very earliest stages, should they begin to unfold.

Mr. Speaker, all of us in this Chamber, all of us in this country, need to do more, because I believe, if the United States of America stands for anything, we stand for human rights. We need to be better. We need to be more effective in preventing these mass atrocities and these genocides.

So I am very proud to stand with my colleagues in these efforts. I want to thank the gentlewoman from Missouri for her incredible leadership, and I am honored to participate in this Special Order with her.

Mrs. WAGNER. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for his outstanding words and his support, his support and that of Representative RANDY HULTGREN on sponsoring and cosponsoring with me my piece of legislation, the Elie Wiesel Genocide and Atrocities Prevention Act.

This truly is an issue that is not just about human rights and giving voice to the voiceless and speaking for the most vulnerable in our society; it is about human dignity across our globe.

□ 1830

It is about the U.S. responding to these conflicts in the way that only we can and should do and provide the kind of moral authority and support to do so through both our Congress and through our foreign service officers and others who are working across the globe. So I thank the gentleman for his fine words.

I now yield to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, I thank Congresswoman ANN WAGNER for yielding. She is a wonderful inspiration to me as a new Member.

I also want to thank Congressman MCGOVERN for his comments.

This is really important that she is hosting tonight's Special Order on genocide awareness and prevention.

During the month of April, we joined together to honor victims and survivors to educate the public about genocide—it is hard to believe it is happening in our time—and to advocate for the prevention of future atrocities.

In the past 150 years, tens of millions of men, women, and children have lost their lives during brutal genocides and mass atrocities. Millions have been tortured, raped, and forced from their homes. Some of the darkest moments in world history have occurred, oddly enough, in the month of April.

In April 1933, the Nazi Party began its boycott of Jewish-owned businesses. This marked the beginning of a campaign of hatred that led to the murder of 6 million Jews.

My district is home to thousands of refugees from the former Yugoslavia. I have a long history with Yugoslavia. I began my study of the country of Yugoslavia in 1981 when I first participated as a student, a college student from Colgate University, in a semester abroad, and we traveled throughout the entire Yugoslavia and all the different principalities and republics. It was a spectacular and beautiful country, and it sparked a lifelong interest for me in this region.

I completely fell in love with the country and was fascinated by the people who were there who survived conquests, whether it was from the Ottoman Empire to being part of so many other parts of human history. They were also victims during the Nazi invasion, as well, during World War II.

I had the lucky opportunity to graduate from college and work as a foreign correspondent in the Press and Cultural Office of the former Yugoslav Consulate in New York. I also worked, at that time, alongside with ABC Sports during the Winter Olympics held in Sarajevo in 1984.

The war in Yugoslavia was a tragic saga in the history of human experience, especially for me, with my long history and love of the country and the people who inhabited this part of world.

I worked with people from the consulate, from all the republics and autonomous provinces from the former Yugoslavia. It just seemed unthinkable to me that this human genocide could occur in a region of the world which had experienced many occupying forces due to its very unique, very important geopolitical, strategic location in the world.

Yugoslavia was always known as the gateway between East and West, the place where you could get from Europe through Yugoslavia to, eventually, the Middle East along the Mediterranean. This region had diverse culture, religion, and people from all parts of Europe and the Middle East, and the world all united together for centuries, actually, living alongside each other with different values. Certainly, they had their differences.

But sadly, unfortunately, after all this history of unrest, the war in Yugoslavia eventually elicited the worst in humankind and was witness to one of the most horrific genocides in our generation against Bosnian citizens.

To the Bosnian community, April, again, marks 26 years since the beginning of the siege in Sarajevo, Bosnia. The horrific period of violence lasted for over 3½ years and was the longest siege in modern warfare. All told, over 10,000 people, including 1,500 children, were killed in Sarajevo during the siege.

In 1995, the worst massacre within Europe since World War II took place. The Srebrenica massacre killed more than 8,000 Bosnian boys and men during the Bosnian War.

In addition to these horrific killings, more than 20,000 civilians were expelled from the area. Many of these Bosnian refugees immigrated to my region. We are thrilled to have them.

It is just worth noting that my son was actually a student in the after-school program at the Jewish Community Center in my area. The Jewish Community Center was actually instrumental in helping to find safe refuge in our community for these Bosnian Muslims who were suffering from this unconscionable genocide and atrocities against them.

I think it was the solidarity and the sympathy and the understanding, the true understanding of genocide that our Jewish citizens recognized in our region, and we are grateful to them. And we are also grateful to the Bosnian community for the decision to have so many wonderful Bosnian families visit our city and now remain as citizens. They provided the same ingenuity and the entrepreneurship and the vibrancy and the creativity that I remembered during my days of studying this very special part of the world.

I am especially grateful to them for enabling me to sustain the bond that developed between me, my family, who have all traveled to that part of the world, and this amazing group of people for the past 37 years of my life. It has become almost a vocation for me, just my study of Serbo-Croatian and my study of this region.

As we mark these tragedies of the past, we must not overlook what is taking place in the present. I just want to mention a little bit about my city, Utica, New York.

It has been recognized as one of the friendly cities to refugees. The Utica City School District now has over 42 languages spoken, and so we have a number of people coming from war-torn areas where, very graciously and also very generously, our communities have accepted them and provided them a home.

I want to just highlight one of the communities that is in our region as well, and those are the people from Myanmar, where over 700,000 Rohingya people have fled the Rakhine State in the face of expulsions and violent persecution at the hands of government forces.

In Syria, Bashar al-Assad's military butchers its own citizens and uses chemical weapons without regard for international law.

Under this dark cloud of atrocities and massive human rights violations, both present and past, I just want to join with my colleagues today in remembering these and remembering to ensure that these lessons are never forgotten, but more important, if we could only make sure they are never repeated.

I sincerely thank my colleague, Congresswoman ANN WAGNER, for her great leadership on this issue, her tenacity and her courage and her continued fight to try to help these people who are the most needy, who have just been victimized in our society and across our country and our world. I thank her for including me tonight.

It is very special for me to especially recognize the Bosnians. It has been such a long part of my history, and my heart and my sympathy go to these wonderful people who suffered unfairly.

I just want to say thank you again to Mrs. WAGNER for her great leadership on this issue.

Mrs. WAGNER. Mr. Speaker, I thank the gentlewoman for her kind words.

The gentlewoman from New York (Ms. TENNEY) is also a leader in this cause and this effort that is really about, as we said, human dignity and human rights across this world.

We want a day when no longer are these refugees suffering, whether it is in Syria. On the day that President Macron addressed a joint session here in this very Chamber, the President of the People's Republic of France, that stood with the United States, along with the United Kingdom, in the bombings against Syria that were targeted against those who had been barrel-bombed and victimized and murdered by the Assad regime in Syria.

We share a common bond with the Bosnian community. We both have very large Bosnian communities, many of whom started out as refugees some 20 years ago. Now, as I said, the cultural diversity, the business, the religious presence has been just wonderful to see flourish in a district like Missouri's Second Congressional District, so I recognize the common bond that we have there.

I thank Ms. TENNEY for participating in this Special Order that goes to the heart of genocide and mass atrocities across our globe. I know that the people of Ms. TENNEY's district in New York are also appreciative of all she does there to represent them and those who are the most vulnerable in our society, so I thank the gentlewoman from New York.

I now yield to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentlewoman from Missouri for yielding.

It is Genocide Awareness and Prevention Month, and the gentlewoman from Missouri (Mrs. WAGNER) has been a leader in speaking out on this critical issue for many years now, and we appreciate her leadership on that.

As a senior member of the House Foreign Affairs Committee, I have had the opportunity to advocate for global human rights issues for many years. Tonight, I want to condemn a genocide that has been happening before our eyes: the genocide against the Rohingya in Rakhine State, Burma.

Last September, the Burmese military began a so-called clearing operation, allegedly in response to some insurgent attacks. In reality, this was just an excuse for a massive and barbaric campaign to forcibly remove the Rohingya from Burma altogether and erase their memory from the Rakhine State once and for all, resulting in over 700,000 Rohingya, many of whom are children, fleeing Burma for Bangladesh. This has needlessly left Bangladesh and the world with one of the worst humanitarian crises that the world faces today.

While these numbers are truly shocking, as we learn more about the crimes committed by the Burmese military, there can be no doubt that this is, in fact, genocide.

When the Rohingya arrived in Bangladesh, they told story after story of the crimes that they had witnessed and that they had personally suffered: widespread killings, mass graves, rapes, and other unspeakable horrors and injuries. These atrocities have been confirmed by many people who had no ax to grind here or anything, So this is something that the world must see and must believe.

In addition, hundreds of villages have been burned and others have been simply bulldozed in a clear attempt to prevent the Rohingya from ever returning. Together, these heinous acts are a deliberate attempt to irreparably harm the Rohingya. This is absolutely genocide.

Together with Mr. ENGEL and Mr. CROWLEY, our colleagues here in the House, I have helped to lead the House's efforts to address this crisis. With our passage of H. Con. Res 90, the House unequivocally condemned the Burmese military's atrocious actions, but more serious action is still needed.

Burma's constitution allows the Burmese military to control much of the government, and civilian leadership has taken virtually no real steps to address this violence. That is why I joined again with Mr. ENGEL and Mr. CROWLEY to introduce the BURMA Act, which applies tough, targeted sanctions on the individuals involved in leading this genocide. I urge my colleagues to cosponsor this legislation and then, ultimately, of course, to vote for it when the time comes.

As we remember the victims of all genocides this month, we must work to adequately address one which is unfolding right before our eyes, right before the world's eyes right now. So, again, I want to thank the gentlewoman from Missouri for calling this particular action to the attention of our colleagues and the attention of the world, but also other genocides and other atrocities that have occurred across the globe. She is truly a leader, and we are lucky to have her doing that in Congress on an everyday basis, but also, in particular, this evening.

Mrs. WAGNER. Mr. Speaker, I thank the gentleman from Ohio (Mr. CHABOT) for his kind words. He is a leader and a senior member of our House Foreign Affairs Committee, and I also have the privilege of serving on it.

It is an honor to have Congressman CHABOT here at this Special Order during Genocide Awareness and Prevention Month to give voice to those millions of victims and to say we live for a time when this is nonexistent in society.

I look forward, Mr. Speaker, tomorrow, to offering my amendment to the State Department Authorization Act of 2018, asking the administration to study countries at risk of genocide and mass atrocity crimes and crafting the kind of training regimens for U.S. foreign service officers that are so very important.

I look forward to the time when my piece of legislation, the Elie Wiesel Genocide and Atrocities Prevention Act, will, Mr. Speaker, be signed into law. It will improve the U.S. efforts to prevent mass atrocity crimes, and I think we all, in this Chamber, on a bipartisan level, Mr. Speaker, continue to hope and, more importantly, to work towards a time when America says, ''Never again,'' and our actions reinforce our words.

Mr. Speaker, I thank my colleagues for coming out. I thank those advocates on the Friends Committee on National Legislation's stand. Together we remember the Carl Wilkens Fellowship and so many others that stand with the victims of genocide and mass atrocities. It is an honor to be with my colleagues here tonight and with the advocacy groups that stand for the millions that say, ''Never again.''

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

## 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. 4300. To authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, and for other purposes.

## BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on April 25, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 4300. To authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, and for other purposes.

## ADJOURNMENT

Mrs. WAGNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 26, 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:

4680. A letter from the General Counsel, Government Accountability Office, transmitting a letter reporting violations of the Antideficiency Act by the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926) and 31 U.S.C. 1517(b); Public Law 110-161, Sec. 1517(b); (121 Stat. 2285); to the Committee on Appropriations.

4681. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Removal of Transferred OTS Regulations Regarding Consumer Protection in Sales of Insurance (RIN: 3064-

AE49) received April 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4682. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Real Estate Appraisals [Docket No.: OCC-2017-0011] (RIN: 1557-AE18) received April 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4683. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Good Guidance Practices; Technical Amendment [Docket No.: FDA-2018-N-1097] received April 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4684. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Revision of Organization; Technical Amendment [Docket No.: FDA-2018-N-0011] received April 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4685. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question, covering the period June 1, 2017 through July 31, 2017, pursuant to 22 U.S.C. 2373(d); Public Law 87-195, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

4686. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

4687. A letter from the Director, Office of Personnel Management, transmitting the Office's FY 2017 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

4688. A letter from the Federal Register Liaison/Regulatory Specialist, Office of Natural Resources Revenue, Department of the Interior, transmitting the Department's final rule — Inflation Adjustments to Civil Monetary Penalty Rates for Calendar Year 2018 [Docket No.: ONRR-2017-0003; DS63644000 DR2PS0000.CH7000 189D0102R2] (RIN: 1012-AA23) received April 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

## 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. GOODLATTE: Committee on the Judiciary. H.R. 5447. A bill to modernize copyright law, and for other purposes (Rept. 115–651). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4270. A bill to amend the Federal Reserve Act to ensure transparency in the conduct of monetary policy, and for other purposes (Rept. 115–652). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 3170. A bill to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes (Rept. 115–653). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 4668. A bill to amend the Small Business Act to provide for the establishment of an enhanced cybersecurity assistance and protections for small businesses, and for other purposes; with an amendment (Rept. 115–654). 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. ELLISON (for himself, Mr. KHANNA, Mr. CARTWRIGHT, Mr. CAPUANO, Mr. HUFFMAN, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Ms. MOORE, Mr. POCAN, Mr. BROWN of Maryland, Mrs. BUSTOS, Ms. VELÁZQUEZ, Mrs. LAWRENCE, Ms. BARRAGÁN, Mr. MCGOVERN, Ms. MENG, Ms. GABBARD, Mr. JOHNSON of Georgia, Ms. SCHAKOWSKY, Mr. KILDEE, Mr. WELCH, Mr. CARBAJAL, Ms. LOFGREN, Ms. MCCOLLUM, Mrs. WATSON COLEMAN, Ms. JAYAPAL, Mr. ESPAILLAT, Mr. YARMUTH, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Ms. SHEA-PORTER, Mr. RASKIN, Mr. DESAULNIER, Mr. GRIJALVA, Mr. QUIGLEY, Mr. BEN RAY LUJÁN of New Mexico, and Mr. CARSON of Indiana):

H.R. 5609. A bill to establish a trust fund to provide for adequate funding for water and sewer infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT (for himself, Mr. FOSTER, Mr. TAKANO, Mr. WELCH, Mr. CURBELO of Florida, Mr. COSTELLO of Pennsylvania, Mr. PAYNE, Mr. CALVERT, Ms. KAPTUR, Mrs. MIMI WALTERS of California, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. MCNERNEY, and Ms. HERRERA BEUTLER):

H.R. 5610. A bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage; to the Committee on Science, Space, and Technology.

By Mr. DEFAZIO:

H.R. 5611. A bill to prohibit the importation into the United States of paper products that are not manufactured in accordance with requirements that are at least as stringent as the requirements under the Clean Air Act and the Federal Water Pollution Control Act; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself and Mr. ROSKAM):

H.R. 5612. A bill to require the Secretary of State, in coordination with the Director of National Intelligence, to report on Iranian expenditures supporting foreign military and terrorist activities, and for other purposes; to the Committee on Foreign Affairs.

By Mr. YODER (for himself and Mr. CLEAVER):

H.R. 5613. A bill to designate the Quindaro Townsite in Kansas City, Kansas, as a National Historic Landmark, and for other purposes; to the Committee on Natural Resources.

By Mr. BUDD:

H.R. 5614. A bill to increase transparency of the Public Company Accounting Oversight Board and the Municipal Securities Rulemaking Board; to the Committee on Financial Services.

By Mr. CÁRDENAS (for himself and Mr. LOWENTHAL):

H.R. 5615. A bill to provide for the study and evaluation of net metering, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CLARKE of New York (for herself, Mr. RUSH, Mr. BUTTERFIELD, and Ms. KELLY of Illinois):

H.R. 5616. A bill to require the National Institute of Minority Health and Health Disparities to submit to Congress a report on the impact of the opioid epidemic on minority communities; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONOVAN (for himself, Mr. BIGGS, Mr. BUCK, Mr. LAMALFA, Mr. PERRY, and Mr. BARLETTA):

H.R. 5617. A bill to prohibit sanctuary jurisdictions from receiving Federal funds under the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. FASO (for himself and Mr. GONZALEZ of Texas):

H.R. 5618. A bill to exempt properties located in flood hazard areas that are participating in an approved buy-out program from the mandatory purchase requirement under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. O'ROURKE (for himself and Ms. STEFANIK):

H.R. 5619. A bill to provide emergency funding for port of entry personnel and infrastructure, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PANETTA (for himself and Mr. THOMPSON of California):

H.R. 5620. A bill to direct the Attorney General to make grants to States to develop systems to retrieve firearms from armed prohibited persons; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mrs. COMSTOCK, Mr. SHERMAN, Ms. ROS-LEHTINEN, Ms. LOFGREN, and Mr. LOWENTHAL):

H.R. 5621. A bill to advance United States national interests by prioritizing the protection of internationally-recognized human rights and development of the rule of law in relations between the United States and Vietnam, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TURNER (for himself and Ms. TSONGAS):

H.R. 5622. A bill to improve the ability of the Department of Defense to address sexual offenses, and for other purposes; to the Committee on Armed Services.

By Mr. HARPER (for himself and Mr. BRADY of Pennsylvania):

H. Con. Res. 118. Concurrent resolution authorizing the printing of ''United States Capitol Grounds: Landscape Architect Frederick Law Olmstead's Design for Democracy'' as a House document; to the Committee on House Administration.

By Mr. WOODALL:

H. Res. 844. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. CASTRO of Texas (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, Mr. CORREA, Mr. GRIJALVA, Mr. ESPAILLAT, Mr. SOTO, Ms. SÁNCHEZ, and Ms. BARRAGÁN):

H. Res. 845. A resolution recognizing April 30, 2018, as ''El Día de Los Niños-Celebrating Young Americans''; to the Committee on Oversight and Government Reform.

By Mr. CONAWAY:

H. Res. 846. A resolution expressing the sense of the House of Representatives on support for Estonia, Latvia, and Lithuania; to the Committee on Foreign Affairs.

By Mr. CONAWAY:

H. Res. 847. A resolution expressing the sense of the House of Representatives on support for Georgia; to the Committee on Foreign Affairs.

By Mr. LOWENTHAL (for himself, Ms. LOFGREN, Mr. CORREA, Mr. PETERS, Mr. CONNOLLY, Ms. JACKSON LEE, Mr. KILMER, Ms. JUDY CHU of California, Mr. KHANNA, Ms. BROWNLEY of California, Mr. TAKANO, Mr. AL GREEN of Texas, Mr. CÁRDENAS, Mrs. NAPOLITANO, Mrs. DAVIS of California, Mr. BEYER, Mr. COFFMAN, Ms. BORDALLO, and Mr. BUDD):

H. Res. 848. A resolution recognizing the 43rd anniversary of the Fall of Saigon on April 30, 1975; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. BRADY of Pennsylvania introduced A bill (H.R. 5623) for the relief of Carmela Apolonio Hernandez, Edwin Artillero Apolonio, Yoselin Artillero Apolonio, Keyri Artillero Apolonio, and Fidel Artillero Apolonio; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ELLISON:

H.R. 5609.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States, which states:

The Congress shall have the 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. KNIGHT:

H.R. 5610.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. DEFAZIO:

H.R. 5611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. LIPINSKI:

H.R. 5612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. YODER:

H.R. 5613.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution

By Mr. BUDD:

H.R. 5614.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the United States Consitution

By Mr. CÁRDENAS:

H.R. 5615.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1.

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. CLARKE of New York:

H.R. 5616.

Congress has the power to enact this legislation pursuant to the following:

the power granted to Congress under Article I of the United States Constitution and it subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DONOVAN:

H.R. 5617.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 8

By Mr. FASO:

H.R. 5618.

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. O'ROURKE:

H.R. 5619.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. PANETTA:

H.R. 5620.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 8 of article I of the Constitution

By Mr. SMITH of New Jersey:

H.R. 5621.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. TURNER:

H.R. 5622.

Congress has the power to enact this legislation pursuant to the following:

Military Regulation: Article I, Section 8, Clauses 14 and 18

To make Rules for the Government and Regulation of the land and naval Forces; 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.

By Mr. BRADY of Pennsylvania:

H.R. 5623.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution provides that Congress shall have power to ''establish an uniform Rule of Naturalization''. The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in Galvan v. Press, 347 U.S. 522, 531 (1954), ''that the formulation of policies [pertaining to the entry of aliens and their right to remain here] is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government.'' And, as the Court found in Kleindienst v. Mandel, 408 U.S. 753, 766 (1972) (quoting Boutilier v. INS, 387 U.S. 118, 123 (1967)), ''[t]he Court without exception has sustained Congress' 'plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden.'''

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 60: Mr. NORCROSS.

H.R. 421: Mr. ISSA.

H.R. 820: Mr. FLEISCHMANN, Mr. HOLDING, and Mr. BYRNE.

H.R. 846: Mr. KILDEE, Ms. DEGETTE, Mrs. BROOKS of Indiana, and Mr. FITZPATRICK.

H.R. 949: Mr. LOBIONDO.

H.R. 959: Mr. SABLAN and Mr. COHEN.

H.R. 1036: Mr. SOTO.

H.R. 1098: Mr. GUTIÉRREZ.

H.R. 1171: Mr. KENNEDY and Ms. ESTY of Connecticut.

H.R. 1300: Mr. PERLMUTTER.

H.R. 1311: Mrs. WAGNER.

H.R. 1318: Mr. COHEN and Mr. QUIGLEY.

H.R. 1424: Mr. MCGOVERN.

H.R. 1542: Mr. HOLLINGSWORTH.

H.R. 1550: Mr. HOLDING.

H.R. 1606: Mr. ROGERS of Kentucky.

H.R. 1661: Mr. GUTIÉRREZ, Mr. UPTON, and Mr. HUFFMAN.

H.R. 1683: Ms. ROYBAL-ALLARD.

H.R. 1861: Mr. BIGGS.

H.R. 1911: Ms. ROS-LEHTINEN.

H.R. 1928: Ms. FUDGE.

H.R. 1939: Mr. GOODLATTE.

H.R. 2077: Mr. MCGOVERN, Mr. POCAN, Mr. DOGGETT, Mr. JOYCE of Ohio, and Mr. COHEN.

H.R. 2267: Ms. TENNEY, Mr. TONKO, Mrs. LOWEY, and Mr. NOLAN.

H.R. 2293: Mr. RUTHERFORD.

H.R. 2309: Mrs. NAPOLITANO.

H.R. 2319: Mr. WALBERG.

H.R. 2327: Mr. LIPINSKI.

H.R. 2332: Mr. COOPER.

H.R. 2701: Mr. SCHNEIDER and Mr. KENNEDY.

H.R. 2723: Mr. CURTIS.

H.R. 2735: Mr. POLIS.

H.R. 2748: Mr. FITZPATRICK and Ms. GABBARD.

H.R. 2797: Ms. SINEMA.
H.R. 2840: Mr. GOMEZ.
H.R. 2899: Ms. DELBENE.
H.R. 3032: Mr. FITZPATRICK.
H.R. 3192: Ms. SHEA-PORTER.
H.R. 3207: Mr. GOMEZ, Mr. SCHIFF, Ms. VELÁZQUEZ, Ms. TSONGAS, Mr. PERLMUTTER, Mr. SUOZZI, Ms. DELAURO, Mr. CARSON of Indiana, and Mr. CICILLINE.
H.R. 3349: Mr. NOLAN.
H.R. 3378: Mrs. BLACK.
H.R. 3478: Mr. LOWENTHAL.
H.R. 3528: Mr. RENACCI.
H.R. 3605: Mr. BEYER.
H.R. 3641: Mr. MITCHELL.
H.R. 3767: Mr. WALZ and Mr. SUOZZI.
H.R. 3780: Mr. RUTHERFORD.
H.R. 3798: Mr. ROUZER and Mr. SMITH of Nebraska.
H.R. 3832: Mr. MARSHALL, Mr. HECK, and Mr. SOTO.
H.R. 3834: Mr. KING of New York.
H.R. 3923: Mr. YARMUTH, Ms. BASS, and Ms. SÁNCHEZ.
H.R. 3956: Mr. HOLDING.
H.R. 4107: Mr. FLEISCHMANN, Ms. JACKSON LEE, Mr. HOLLINGSWORTH, Mr. BANKS of Indiana, Mr. JOHNSON of Georgia, Mrs. BROOKS of Indiana, Ms. FUDGE, Ms. ROYBAL-ALLARD, Mr. GARAMENDI, Mrs. WALORSKI, and Mr. TAYLOR.
H.R. 4143: Mr. DOGGETT.
H.R. 4178: Mr. GONZALEZ of Texas.
H.R. 4238: Mr. SUOZZI and Mr. BARR.
H.R. 4265: Mr. TURNER.
H.R. 4272: Mr. MCNERNEY.
H.R. 4305: Mr. NORMAN.
H.R. 4444: Mr. SUOZZI and Mr. LAMB.
H.R. 4548: Mrs. MURPHY of Florida and Mr. MCEACHIN.
H.R. 4573: Ms. JAYAPAL.
H.R. 4691: Mr. SMITH of New Jersey.
H.R. 4693: Mr. SMITH of New Jersey.
H.R. 4732: Mr. MCNERNEY, Ms. ROYBAL-ALLARD, and Mr. MITCHELL.
H.R. 4779: Mr. CARBAJAL.
H.R. 4782: Mr. LEWIS of Georgia.
H.R. 4844: Mr. JORDAN.
H.R. 4912: Ms. DELAURO.
H.R. 4953: Mr. JOHNSON of Georgia, Mr. TROTT, Mr. PAYNE, and Mr. VEASEY.
H.R. 4962: Mr. KELLY of Mississippi and Ms. SHEA-PORTER.
H.R. 4985: Mr. GENE GREEN of Texas.
H.R. 5001: Mr. GRIJALVA and Ms. LOFGREN.
H.R. 5013: Mr. BILIRAKIS.
H.R. 5041: Mr. CURTIS.
H.R. 5100: Ms. BLUNT ROCHESTER.
H.R. 5102: Mr. CURTIS and Mr. FITZPATRICK.
H.R. 5129: Mr. DESAULNIER, Ms. SCHAKOWSKY, Mrs. DEMINGS, and Mr. BOST.
H.R. 5161: Mr. O'ROURKE.
H.R. 5163: Mr. QUIGLEY.
H.R. 5164: Ms. ROYBAL-ALLARD.
H.R. 5171: Mr. NOLAN.
H.R. 5187: Mr. MARINO and Mrs. DINGELL.
H.R. 5220: Ms. ESHOO and Mrs. WATSON COLEMAN.
H.R. 5226: Mr. BROWN of Maryland.
H.R. 5259: Mr. DAVID SCOTT of Georgia and Mr. CRAMER.
H.R. 5266: Mr. LUETKEMEYER.
H.R. 5270: Mr. ROGERS of Kentucky.
H.R. 5343: Mr. ALLEN.
H.R. 5383: Mr. CICILLINE and Mr. MCGOVERN.
H.R. 5395: Mr. TONKO and Mr. ENGEL.
H.R. 5413: Mr. BILIRAKIS, Mr. MARSHALL, Mr. BERGMAN, and Ms. TENNEY.
H.R. 5417: Mr. HIGGINS of Louisiana and Mr. THOMPSON of Pennsylvania.
H.R. 5422: Mr. WOMACK.
H.R. 5447: Mr. SCALISE, Mr. LAMALFA, and Mr. DESAULNIER.
H.R. 5472: Mr. JONES.
H.R. 5508: Mr. SHERMAN.
H.R. 5510: Mr. CUMMINGS, Mr. MCGOVERN, and Ms. MOORE.
H.R. 5517: Ms. STEFANIK.
H.R. 5526: Mr. JODY B. HICE of Georgia, Mr. GAETZ, and Mr. MCKINLEY.
H.R. 5547: Mr. MACARTHUR.
H.R. 5551: Mr. MCGOVERN.
H.R. 5559: Mr. SMITH of Missouri.
H.R. 5564: Mr. POCAN.
H. Con. Res. 8: Mr. THOMPSON of Pennsylvania.
H. Con. Res. 10: Mr. ROTHFUS, Mr. MOOLENAAR, Mr. DUNCAN of Tennessee, Mr. YOUNG of Iowa, and Mr. DESJARLAIS.
H. Res. 343: Mr. SOTO.
H. Res. 781: Miss GONZÁLEZ-COLÓN of Puerto Rico and Ms. VELÁZQUEZ.
H. Res. 786: Mr. MAST.
H. Res. 817: Mr. HIGGINS of New York.
H. Res. 823: Ms. LOFGREN.
H. Res. 826: Ms. NORTON, Mr. COHEN, Mrs. DINGELL, and Mr. KIND.
H. Res. 834: Mr. SEAN PATRICK MALONEY of New York and Mr. COURTNEY.
H. Res. 835: Mr. SCHNEIDER, Mrs. LOVE, Mr. COLE, Miss RICE of New York, Ms. SINEMA, Mr. COOK, Mr. SESSIONS, Mr. WEBER of Texas, Mr. BARLETTA, and Mr. NORMAN.
H. Res. 837: Mr. CULBERSON and Mr. LOUDERMILK.
H. Res. 842: Mr. KING of New York, Mr. HUNTER, and Mr. TROTT.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, WEDNESDAY, APRIL 25, 2018 No. 67

# Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

## PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, strong to save, whose arm has bound the restless wave, we honor Your Name. Forgive us our sins and deliver us from evil. We thank You for food, drink, clothing, friends, and family.

Today, give our lawmakers faith to meet every challenge, courage to live by Your precepts, and humility to serve others in these grand and critical times. May a high sense of patriotism reinforce the commitment of our Senators to integrity, as they remember their accountability to You.

And, Lord, we thank You for the life and contributions of Matthew Pollard, who worked on the Intelligence Committee.

We pray in Your merciful Name. Amen.

## PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the leadership time is reserved.

The Senator from Mississippi.

## NOMINATION OF MIKE POMPEO

Mr. WICKER. Madam President, I rise in strong support of the nomination of Mike Pompeo, our current CIA Director, to be the next Secretary of State. I must say, I watched with interest the proceedings the day before yesterday in the Foreign Relations Committee. The debate was interesting on both sides. I appreciate the fact that accommodations were made so Mike Pompeo's nomination could be presented to the full Senate with a positive vote.

I am disappointed that so many of my Democratic colleagues have stated they will oppose this nomination. I heed the admonition of one of the Members of the Democratic Party at the confirmation vote before the committee when this Member asked that Senators not question the motives of anyone who takes a position one way or the other with regard to the nomination of Mr. Pompeo. I will heed that admonition and not question the motivation of any Senator who votes either yes or no on this nomination.

I will simply observe this: Mike Pompeo is a highly qualified nominee, a distinguished former Member of the House of Representatives. He served with accomplishment and great dignity and ability as Director of the CIA. He graduated first in his class from the U.S. Military Academy at West Point and went on to graduate with distinction at the Harvard Law School and served as editor-in-chief of the Harvard Law Review.

This is a man of great intellect, a man of great ability and great accomplishment. Without impugning the motives of anyone who would vote no, I simply observe they will be voting against a highly accomplished and qualified nominee.

When the shoe was on the other foot during the Obama administration, I—along with almost a unanimous majority of Members of my caucus—voted yes, in favor of the confirmation of Hillary Clinton to be Secretary of State. I voted yes—again, a virtually unanimous vote on both sides of the aisle—for the nomination of our colleague John Kerry to be the successor to Hillary Clinton as Secretary of State.

I will simply note to my doubting friends, who are standing on their rights on the other side of the aisle, that the overwhelming weight of public opinion from the news media has come down on the side of Mr. Pompeo. The Wall Street Journal headline says we need a Secretary of State and that Mike Pompeo should be confirmed. The Chicago Tribune, in an editorial, states why the Senate should confirm Mike Pompeo. The Washington Post headline on the editorial page proclaims: ''Confirm Mike Pompeo.'' The New York Daily News says: ''Confirm Mike Pompeo: President Trump Needs a Secretary of State.''

I will add, this country needs a Secretary of State. The cause of international diplomacy needs a Secretary of State. The cause of human rights around the world needs a Secretary of State.

USA Today: ''Confirm Mike Pompeo to Fill the Void at State.''

I will not question the motives of any of my colleagues, my friends whom I respect. I will only say, things are surely different around the U.S. Senate nowadays than they were previously, when we rose up almost unanimously and confirmed John Kerry and Hillary Clinton and stood for the proposition that a President of the United States is entitled to his or her team and that person needed strong support.

I only say that at a moment when our country needs to send a strong message of resolve to our allies and to the entire international community, we need to send a strong signal of unity; that the vote we may take later this week in confirming Mike Pompeo might send a signal of excessive partisanship and division, I regret that.

We are going to have a great Secretary of State at the end of this process. I think this, unfortunately, narrow vote will come and go and perhaps not be the standard we operate under in future times. I will only say that for those colleagues who are still looking

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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for an answer and still wrestling with how they should vote, I commend to them the example of previous days and the example of sending a strong signal around the globe that this President is supported in his efforts in international diplomacy and that he is entitled to the team he has chosen.

I urge my colleagues to vote yes. I appreciate the distinguished minority leader for indulging me and allowing me to go forward.

I yield the floor.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Mike Pompeo, of Kansas, to be Secretary of State.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### WELCOMING THE PRESIDENT OF FRANCE

Mr. SCHUMER. Madam President, before I begin, I want to welcome the President of France, Emmanuel Macron, who just finished his address before a joint meeting of Congress. His words were timely, particularly his admonition to reject false idols of our time: isolationism, cynicism. He argued that if we were to advance principles upon which both our Nations were founded—as he would say, ''liberte, egalite, and fraternite''—he would say it better than I, of course—and secure the prosperity and security of our peoples in the future, we must seek further cooperation with our allies and engagement with the world. I hope everyone at both ends of Pennsylvania Avenue takes President Macron's words to heart.

Madam President, the Senate is considering the nomination of Mike Pompeo to be the next Secretary of State. I must admit that even after his confirmation to the directorship of the CIA, I remained concerned about Mr. Pompeo when he was in the Congress. I talked to him directly. I told him how deeply disappointed I was in how he handled the Benghazi hearings, how partisan they were. I told him some of his comments about minority groups—Muslims in particular—were way over the top. Over the course of his tenure at Langley, I met with him several times after that first meeting where I had given him my views on some of the things I disagreed with in what he did.

I have to say, those meetings were good meetings. He was very candid with me. He is obviously very smart. He is obviously well informed about foreign policy—far more well informed than Secretary Tillerson was when he came to visit me before his nomination hearing. In particular, what gave me some good feeling was that Mr. Pompeo was particularly strong on Russia sanctions, even showing some separation from the President as we met. I began to think Mr. Pompeo was better than my first impression, which has been guided particularly by his very poor performance in the Benghazi hearings. Then, he was nominated for Secretary of State. That is a whole different ball game. Anyone nominated for such a critical security position deserves the most careful and thoughtful scrutiny.

With that in mind, I met with Mr. Pompeo privately, where I interviewed him on foreign policy. Frankly, on many issues, our views were not the same. He was far more hawkish than I prefer our diplomat to be. Frankly, my views were probably, on this issue, a little closer to the President's, who remembered, as I do, that in Iraq, we spent over $1 trillion and lost close to 5,000 of our bravest young men and women, and Iraq doesn't seem much better off today than it was then.

My view was that he was too quick to recommend strong military action when diplomacy might do. At the same time, I believe the President should get to pick his team. President Trump wanted a more hawkish Secretary of State—it would be concerning to me, but it is his decision—and Mr. Pompeo answered my questions with the same candor and forthrightness as in our previous meetings.

I thought I would wait for his hearing—because speaking in public is different than speaking privately to a Member of the Senate—before making the decision. At Mr. Pompeo's hearing, I became very disappointed. First, the President has shown in word and deed that he often directs foreign policy by impulse—erratically, inconsistently. The fact that we are contending with several hotspots in the world—North Korea, Iran, Syria, Yemen, Venezuela, and Russia—means we need someone in the State Department who not only prizes the value of diplomacy but is willing to check the President's worst instincts. Unfortunately, Mr. Pompeo's testimony—and, of course, public testimony is the real test—did little to convince me that he would be a strong tempering influence on an often erratic President. He didn't convince me that he would be the kind of Secretary who most of us believe Secretary Mattis is, who is able, successfully, to check the President when the President may go off base. Even more disappointing was Mr. Pompeo's tepid responses to questions about his commitment to bedrock principles such as rule of law.

As important and difficult as our foreign policy decisions are, the Nation is facing a great test. The President seems to tempt rule of law in America when it comes to the investigation of whether there was collusion between his administration, his campaign, and Russia. An investigation to look into this—to look into Russian interference in our elections and whether there was participation of the President or members of his campaign or administration—is vital to the bedrock of America. Even worse is if a President says: I can undo this investigation one way or another; I can thwart it.

He is already trying to intimidate it, but fortunately Mr. Mueller is not the type who is intimidated, and Mr. Rosenstein does not seem to be either. These questions were crucial. A key position like Secretary of State should be able to speak out on this kind of issue because America is recognized throughout the world as the country that most prizes rule of law. If our Secretary doesn't speak out strongly against this, it is not only bad for our country but not good for his ability to do his job around the world. Unfortunately, I was deeply disappointed.

Mr. Pompeo responded, when put to this question as to whether he would stand up to the President, whether he would resign or otherwise protest the President's actions that would undermine the rule of law—his answers were weak. He did not say he would resign if the President fired Mueller or Rosenstein. To me, a Cabinet officer should do that. He did not even unequivocally state that he would publicly urge the President not to fire Mr. Mueller. That was not good enough, but I thought I again owed Mr. Pompeo a direct discussion because he is a talented man, and the President does deserve the benefit of the doubt.

So I called him into my office for one private meeting, one final meeting. I asked him pointedly whether he would be able to simply say publicly, before we voted on him, that the President shouldn't fire Special Counsel Mueller. I asked him what he would do if the President fired the special counsel or Mr. Rosenstein. His answers were extremely insufficient. I also asked him if he would be willing to recant or undo some of what he had said about Muslims, Indian Americans, LGBTQ Americans, and women's rights now that he was in line to be our Secretary of State and had to deal with countries that might be affected by his remarks. Again, he demurred. When he left that meeting, I emerged with a clear conscience in that a vote against Mr. Pompeo's nomination was the right thing to do.

I still believe a President deserves his team and that disagreements on policy alone are not sufficient reasons to reject a nomination, but I gave Mr. Pompeo the benefit of the doubt and three chances to answer the questions I thought were extremely important to assuage my broader concerns about his nomination. He did not answer those questions in any way that was satisfying. So, with a clear conscience, I will be voting against his nomination.

Let me be clear. This is not about politics. This is not about denying the

President his team just for the sake of it. It is about the role of Congress and, frankly, the Cabinet to provide a check on a President who might go off the rails and undo the respect for the rule of law, the tradition of the rule of law, that we have had in this country for so long.

It is my view that the next Secretary of State, in this unique moment of history, with a President who seems to behave erratically and with little regard, oftentimes, for our Nation's history, a President who tests our constitutional order, must be willing to put country first and stand up for our most sacred and fundamental, foundational values—for the rule of law, for the idea that no person, not even the President, is above the rule of law.

Unfortunately, Mr. Pompeo, in these very difficult and troubled times, didn't meet that test as much as I wish he had. I don't doubt that the President could nominate someone with the right experience, the right values, and the right commitment to our core, national principles to earn my vote to be Secretary of State, but I do not believe Mr. Pompeo has those qualities so I will be voting no on his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Madam President, I have come here for the first time in what will be a weekly speech that I will give as long as we have somebody, in my opinion, who is improperly and unjustly being held in a Turkish prison.

As a matter of fact, this man, Pastor Andrew Brunson, has been in a Turkish prison for 565 days. He was arrested in October of 2016. He didn't even receive charges until about 2 months ago—so arrested, without charges—conspiracy to plot a coup attempt against President Erdogan and his regime in Turkey.

About a month ago—it was, maybe, about 2 months back, 3 months back—I heard from some people that Pastor Brunson was afraid that with his time in prison and the charges being levied against him, the American people were going to read the charges and forget about him and turn their backs. That is why I decided to travel to Turkey and meet with him in prison about a month ago. It was to let him know I had no intention of forgetting him and that I had every intention of making sure everybody understood what was going on with this case and why it should be a lesson to anybody who is thinking about traveling to Turkey today from the United States.

Before I start this, I have to talk a little bit about Turkey. It is a NATO ally. It is a country I led a delegation to when I was Speaker of the House in North Carolina. I spent almost 2 weeks there back about 6 years ago because I saw great opportunities for our State of North Carolina and the country of Turkey to build closer ties—closer economic ties, closer cultural ties. I saw real opportunities to strengthen the relationship with a very important NATO ally. Yet now I am beginning to doubt whether what I saw in Turkey—at least the Turkey I visited 6 years ago—is the Turkey we are confronted with today.

Pastor Brunson, a gentleman from Black Mountain, NC, was part of a church up there at Montreat, which was the same church, a Presbyterian church, that Rev. Billy Graham was a part of. The injustice I see displayed to him makes me wonder if the people from the State of Iowa or from the State of North Carolina should go to that country until we understand whether American citizens can be treated justly there.

He has spent 565 days in a Turkish prison. For about 15 months, he was in a cell that was designed for eight people. It had 21 people in it. The others had been charged with terrorism and conspiracy to plot a coup. Pastor Brunson has been in Turkey for 20 years. All he is guilty of is of being a Christian and trying to bring a Christian message to those who want to hear it. He has a church in Izmir. It is a very small church. You can only seat about 120 people in it. They open it up, and they let anybody walk in off the street to hear what they are saying. They work with the police department to make sure they are secure and that they understand what they are saying. There was no nefarious purpose here except to have done his job for 20 years as a missionary in Turkey.

I am going to come back to this slide in a minute.

It is also important to understand timing. The coup occurred in 2016. Pastor Brunson and his wife Norine had actually traveled back to the United States. They were having a visit with family in North Carolina. President Erdogan and the Erdogan regime were rounding up tens of thousands of people and putting them in prison, even somebody loosely associated with the coup, and many who were not were being arrested. Pastor Brunson was in North Carolina at the time, but he and Norine went back to Turkey at a time when people were being rounded up. When he got back, they rounded him up.

Why on Earth would any reasonable person go back if he had been involved with it and had seen what had been happening in Turkey? That is just one data point. Now let's cover a few more.

First off, I have to bring this up. I have to say, after I went and visited Turkey for about 48 hours about a month ago, I went back last week. I, actually, spent 12 hours in a Turkish courthouse and listened to the charges against Pastor Brunson. It was remarkable. It was a three-judge panel. Imagine that they are sitting up at the dais, and next to them—unlike in our courts, where you have the defense and the prosecutor sitting on equal terms—their prosecutor is sitting up at the dais and is actually looking like a fourth judge. In Turkey, you are, more or less, considered guilty until proven innocent. It truly was, in my opinion—look it up if you do not know what a kangaroo court is—a kangaroo court.

They have already decided they want to prosecute him, and they are trying to get some of the most specious, circumstantial arguments to convict him to 35 years. He is 50 years old. By the way, he has lost 50 pounds since he has been in prison. A sentence of 35 years is effectively a death sentence for the kinds of charges I will tell you a little bit about.

No. 1, it is very clear to me, after spending 12 hours in a courtroom, that the Turkish authorities believe that any religious organization is actually a part of a broader plot to undermine the Turkish Government and to promote terrorist activities. They actually view the Christian faiths, the Christian religions in the United States—the missionaries—as some sort of coordinated plot to undermine the country of Turkey. They view a missionary who risks life and limb to go into the Syrian countryside to help people who are trying to flee the carnage that is occurring in Syria—to give them food, water, and comfort—as being, in some way, someone who is perpetrating and being a coconspirator in a plot by the PKK, which is a terrorist organization that is focused on opposing Turkey. That is what missionaries are subjected to.

As a matter of fact, there was a part of the court proceedings during which they suggested the mere fact that Pastor Brunson, who is a Presbyterian, had Mormons enter his church—actually, it is just part of the services, and they are services that are wide open to anyone. Yet, because of the mere connection with the Mormons, who also do missionary work in Turkey and Syria, they were able to glue together, on a circumstantial basis, the idea that because they have actually talked to each other and the Mormons have also provided missions to the Kurdish region, they are a part of the PKK.

That is what we are talking about. That is why I am giving everyone a stern warning. If you are traveling to this country, I can't guarantee your safety based on the facts as they exist today. I am trying to get somebody out who is only guilty for actually being a Christian missionary in Turkey for 20 years.

I am not going to go into the details of this, but when you invest 12 hours in a courtroom, it is a really accelerated learning process. Let me give you an idea of some of the things they said because they observed this. We are not talking about any specific charge for something violent that occurred or something damaging that occurred. This is the level of evidence that was presented against Pastor Brunson.

There is a dish that is cooked over there. I don't know. I love Turkish food. I eat anything. Usually, when I go over there, I gain weight. It is good

food. Well, there was this communication between the daughter and the father about a good meal they had had. They suggested that communication—because it was of food that is, apparently, enjoyed by the Kurds—was a reason to suspect that somehow they were conspirators in the PKK plot. So I tell somebody who is traveling to Turkey, be careful what you eat and be careful what you like and don't put it on Facebook because you, too, could find yourself in a Turkish prison.

That is the level of argument they are using against this man who has been in prison for 565 days. I am not making this up. You could not create a movie plot that would be more egregious in terms of the way they have treated this man for 565 days.

After I went to the Turkish prison, Pastor Brunson and I spent about an hour and a half together. To the Turkish prison officials' credit, they gave me more time than they normally would. At about 59 minutes, they get you out of there, but they told me I could spend the time I wanted to. The discussion with Pastor Brunson was really heart-wrenching. The reason it was heart-wrenching is he said: I just firmly believe that people are going to forget about me. I think Congress could read this 62-page bogus indictment and believe it is true.

I told Pastor Brunson that the only reason I was there was to look at him eye to eye and tell him Congress has his back. This is not going to go away until the Turkish people release Pastor Brunson. We did something here over the course of 2 weeks. I also told him, in that meeting, I was going to get Members of the Senate to sign on to a letter and was going to prove to him that the people in the Senate, on a bipartisan basis, agreed with my position that Pastor Brunson should be set free.

I know the Presiding Officer knows better than anybody that getting 66 Senators to sign on to a letter, if you spend 3 or 4 months doing it, is uncommon, but to get 66 Senators to come together and sign this letter in a couple of weeks is extraordinary. When they heard the argument, they knew they needed to be a part of the voice of the Senate. It is no coincidence that I wanted to get 60-plus votes. I wanted to send a very clear message that we are educating Members of the Senate, and we have the votes necessary to move forward with things I prefer not to do.

I prefer to be moving forward with legislation that strengthens the relationship with Turkey—our military alliances, our economic alliances—our broader relationship. Yet we also need to send a clear message that we will take other steps, if that is what is necessary, to get the attention of the Turkish administration and President Erdogan to do the right thing. I thank all my colleagues who signed the letter. Since we published it with 66, we have had others express interest, and I think that is very important.

Now what does President Erdogan say to that? He basically says that if we are willing to trade with someone here in this country who he believes was involved in the plot, then he will give Pastor Brunson back to us.

We have an extradition treaty with Turkey. If Turkey goes through the proper processes that can prove the person he wants in this country should be extradited because he is guilty of laws broken in Turkey, great. But I find it objectionable to compare that pastor who is here or that religious leader who is here with a pastor who spent 20 years in Turkey doing nothing but missionary work.

When I was in Turkey, someone asked me: What do you think about the prisoner exchange? I think what has been offered is absurd. But I promise you this: If you know of a Turkish person—a Turkish national in a U.S. prison who was held for 17 months without charges and then was convicted on circumstantial evidence for 5 years, 10 years, or 35 years, count me in on getting them released without even a concept of trade because that would be a terrible miscarriage of justice.

Let me tell you, there is not somebody in a U.S. prison because there is no way that anybody in the United States would have been held overnight in jail for the charges I saw demonstrated in that courthouse just a week ago. So President Erdogan possibly doesn't know what I now know, having sat through 12 hours of court. I have to believe he is a fair person, and I have to believe that he is hearing from people in his administration who are not telling him what they are trying to do to this man in their Turkish judicial system. I am here, and I will be here every week to ask President Erdogan to invest the time that I have invested to know it is a miscarriage of justice that is going to hurt our relationship with Turkey on every level, and I will go from someone who is a strong advocate of our Turkish alliance to someone who maybe has to think twice about where this relationship goes from here.

This is the beginning of what I hope is a very short time of my coming to this floor and layering in additional facts every week until Pastor Brunson is released.

Again, I warn anyone who is going to Turkey to pay attention to what I have just said. Pay attention to the fact that I may not, as a U.S. Senator and the Presiding Officer, as a U.S. Senator from Iowa—we may not be able to guarantee your safety under the current emergency orders in Turkey. You may actually just find a group of friendly people with whom you take a picture and you proudly put it on Facebook because you are reaching out to people, you are traveling to countries, and you are trying to build friendships and relationships. But there may be some Turkish bureaucrat who sees that picture and sees a few Kurds in it, and suddenly you become a conspirator. You spend 565 days in a Turkish prison, and you have your Senator coming over there to take you out. That is what is going on in Turkey right now.

Pastor Brunson represents just one of several people in Turkey for whom we have to fight. A NASA scientist has been convicted and sentenced to 7½ years; he has served 1½ years. He was guilty of doing nothing more than going to visit his family in Turkey at roughly the time they started the coup attempt. Now he is in prison—an American citizen, a dual citizen, a Turkish-American, a NASA scientist imprisoned, implicated as being a part of our intelligence agency. I am not making this up.

I have invested the time in Turkey to follow the facts. I wouldn't pursue this if all I had were briefings from the State Department or the staff. I invested the time to go there, look at the pastor eye to eye, look at the judges eye to eye, and look at the prison guards eye to eye, and I am convinced this is a risk to every single American. Every single one of you should put yourself in Pastor Brunson's place and go from here and make sure people know what is going on there.

Pastor Brunson needs to know he has the backing of the U.S. Senate. He will have the backing of the House. My colleague MARK WALKER and the deputy whip PATRICK MCHENRY are working on a similar letter in the House, and we will continue to show that we are in shape, and we are ready to run this marathon. Hopefully, they are going to sprint to a just decision on May 7. That is his next court date. But if he doesn't, you can expect me to be here, and each and every time I am going to add some other cases for why we really have to rethink our relationship with Turkey until justice is done.

Thank you.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise today to express my opposition to Mike Pompeo serving as the Nation's top diplomat.

As I stated earlier this week in committee, I am generally disappointed to be casting a vote against a Secretary of State nominee. I believe the United States needs an effective leader on the global stage. But at the end of the day, as I considered Director Pompeo's nomination, including his hearing, his past statements, and recent revelations, I have lingering concerns along three broad themes. Mr. Pompeo failed to express any tangible diplomatic strategies for which he would advocate to advance American interests; he failed to be forthright with the committee; and, finally, I don't have a satisfactory answer to the question: Which Mike Pompeo am I asked to cast a vote on?

Unfortunately, during his nomination process, in which he had an opportunity to address all of these concerns, Director Pompeo offered contradictory statements and was less than forthcoming when pressed on a number of issues.

Given the opportunity to outline the strategies he would advocate with the administration to deal with the challenges of Russia, Iran, North Korea, China or Venezuela, to mention a few, he failed to exhibit the depth of knowledge or thoughtfulness about what those strategies would be. Granted, he is under the constraints of this administration, which has failed to offer a strategic vision for American diplomacy, a White House that has failed to effectively outline policies or strategies to achieve a series of ever-changing goals and objectives. But I expect our chief diplomat to have a vision for diplomacy.

A meeting is not a strategy. Airstrikes are not a strategy. Unilaterally walking away from an international agreement is not a strategy.

Beyond his lack of strategies, I fear Mr. Pompeo was less than transparent through his confirmation process. Truthfulness and willingness to be forthcoming to the Foreign Relations Committee are essential in a Secretary of State nominee. But in his refusal to answer questions about the Russia investigation, in which he was interviewed—a critical issue before the committee—and in his failure to disclose any information about his trip to North Korea, which he could have disclosed even in a classified setting, although we got to learn about it through the press—both critical issues before the committee—he exhibited that he was more suited to the clandestine nature of the CIA Director than the transparency of a Secretary of State.

I don't expect a Cabinet Secretary to publicly disagree with the President; indeed, it is his or her duty to carry out the President's agenda. But as policies are being formulated, I remain skeptical of whether he will be forthcoming with Members of Congress, how he will approach complex issues, and what that means for our foreign policy.

This lack of forthrightness ultimately leaves me wondering whether he would be willing to push back against the President's worst instincts, whether he would be willing to say no to advance a different course or whether he would simply be a yes-man.

When the President blames Russia's aggressive behavior on Democrats—pretty amazing, on Democrats—will Director Pompeo remind him that Russia's aggressive behavior is caused by Russia and no one else? As our Nation's top diplomat, would Director Pompeo, as he said in his confirmation hearing, value diversity and demand every employee be ''treated equally with dignity and respect''? Does he believe, as he said in his hearing, in ''promoting America's ideals, values, and priorities,'' including our collective identity as a nation of immigrants and refugees fleeing oppression who have made the United States a bastion of hope in the world? Or will we be represented by Congressman Pompeo, who voted against the Violence Against Women's Act to deny support to victims of gender-based violence and who sponsored legislation to roll back marriage equality, or Congressman Pompeo, who, as recently as 2016, sponsored legislation to immediately halt refugee resettlement in the United States until ill-advised reforms were made? These concerns are beyond policy disagreements, which alone are not the basis for rejecting a nominee. Rather, this legislative history paints a troubling picture of how the United States and our diplomatic efforts will be conducted and received by our allies and adversaries alike.

Will the Department seek to roll back programs advancing women's access to healthcare and justice systems—programs that have significantly improved the lives not only of women all over the world but, by extension, improved stability, prosperity, and governance reforms? When we talk about promoting universal human rights in countries that seek to oppress people based on their sexual orientation, what will our Nation's top diplomat credibly say?

As we work with our allies who are absorbing literally millions of refugees from profoundly devastating crises all over the world and as families in my own State of New Jersey and throughout the country open their hearts and their homes, what will he credibly say as this administration slashes our own refugee program, once a crown jewel of our foreign policy, both in establishing our moral leadership and in supporting our partners globally?

On our own border, we simply cannot address the threat of drug traffickers or opioids without productive collaboration with Mexico. When the President wants to call Mexicans drug traffickers and rapists, as our Nation's top diplomat who, during his confirmation hearing, insisted his ''record is exquisite with respect to treating people of every faith with the dignity they deserve,'' would Mr. Pompeo advise the President not to call Mexicans drug traffickers and rapists or would the Pompeo who once called an Indian-American political opponent a ''turban topper'' prevail?

How would he explain this kind of rhetoric to people of myriad different faiths who wear turbans, whether they are millions of Sikhs, Punjabis, or Muslims in India—a critically important ally—or Orthodox Christians in the Horn of Africa or tribal leaders in Afghanistan with whom we are trying to build constructive relationships based on values of democracy and human rights?

What impact would his accusations that Muslim leaders in the United States are somehow ''complicit'' in devastating terrorist attacks have as he engages with Muslim leaders and citizens around the world? Nearly 2 billion people in the world adhere to the Muslim faith, many in countries with which we have relationships critical to protecting and promoting our national security, with citizens who have suffered the most from brutal terrorism.

Similarly, part of the exceptionalism of the United States comes from the power of our diaspora communities, which serve as critical cultural and public diplomats to the rest of the world. How can someone who has made such derogatory and uninformed remarks conduct effective diplomacy?

As I have said before, I believe it is imperative for the Secretary of State to be forthright, to be someone with whom the American people and our allies can invest faith and trust, someone who will unequivocally champion our values to assert our global leadership.

Our global leadership comes from our investment in diplomacy and development as our primary policy drivers abroad. Unfortunately, I don't believe that Director Pompeo is someone who will always prioritize diplomacy over conflict, particularly in the context of the aggressive foreign policy voices growing around him. I am particularly concerned by his past comments on regime change in North Korea and Iran. Look, I abhor both regimes, but our national security is a little different.

While he said during his confirmation hearing that war is ''the last resort,'' Mr. Pompeo's past statements calling for military action and regime change in Iran, for example, will surely follow him as we work with our allies to build on multinational agreements to prevent Iran from getting a nuclear weapon. His offhand remarks about regime change in North Korea will be ever-present as we pursue negotiations to roll back North Korea's nuclear weapons program and seek dismantling.

With all of these concerns of mine, ultimately, I simply do not believe that Director Pompeo is someone who can genuinely represent all Americans and best promote American foreign policy interests. It is for these reasons, among others, that I will be voting against Director Pompeo. Let me be very clear. Despite what some of my other colleagues may believe or tell the press, this is not a vote in the name of political resistance to the President. I have voted for members of this President's Cabinet, from the Secretary of Defense, to the former Secretary of Homeland Security and now the President's Chief of Staff, to our Ambassador to the United Nations, to mention some.

I will never hesitate to agree with a sound policy or criticize a misguided one, regardless of which party is in the White House. I think history will certainly prove that and judge it to be true. I will always put patriotism and our national security interest over partisanship—always.

I also reject the notion that we should confirm a Secretary of State based on world events outside of our control, whether that be a NATO summit or a meeting with North Korea. Nobody forced the President to fire his former Secretary of State at the time

he did. And unless Kim Jong Un is unilaterally dictating the terms of our relations, we should wait until we have the appropriate people and dutiful preparation to achieve the success that we and the world need.

In closing, as we consider this nominee and the nominee for Germany who is also subject to cloture, let me be clear. Despite what the White House wants to claim, Democrats are not obstructing nominees through this body. The facts are simply not on their side. Of 172 positions at the State Department and USAID critical to advancing U.S. interests, the administration has failed to even nominate 77 of those positions, including 45 ambassadorial positions in critical countries, including South Korea, Saudi Arabia, and Jordan, to mention a few. I could go on and on.

Lest we all forget, Republicans control the votes on the Senate floor. Republican leadership can bring up any nominee, once they have passed the committee, at any time. That is their prerogative.

The Founders recognized that an effective democracy needs coequal branches of government to operate in a system of checks and balances. The President has the right to nominate whomever he wants, but the Congress has a responsibility to ensure that person is best suited for the job at hand—we have already seen challenges to some of these nominees in that process—and in the case of our Secretary of State, one who will prioritize diplomacy instead of war and promote fundamental values.

If and when he is confirmed, as someone who has served on both the House and the Senate committees tasked with overseeing foreign policy administration, I am more than willing to work alongside the nominee to provide advice and input as he and the President seek to advance American interests and values on the global stage. I will, of course, in my capacity as ranking member, work alongside him in pursuit of comprehensive and coherent strategies that promote American interests. Despite my misgivings, I will always have an open door and seek opportunities to advance our shared objectives. We stand ready and willing to take any and all actions in the interest of peace, security, and all Americans. That has always been my North Star, and it will always be.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, I ask unanimous consent that following my remarks, the Senator from Ohio, Mr. BROWN, be allowed to make remarks for about 3 to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. Madam President, I stand here today to urge the very swift confirmation of my good friend, my former colleague, the current Director of the CIA, Mike Pompeo, to serve as America's next Secretary of State.

Mike's résumé would put him at the top of any pile. Speaking as someone who has hired a lot of folks over 28 years in the private sector and now spending time in public service, his résumé shines, but let's talk about his record of results.

I just returned from a trip to China. I was with four other U.S. Senators. We visited China, South Korea. In fact, while in South Korea, we went to the DMZ. I met the Premier of China while I was in Beijing. In fact, the same week that I met the Premier of China, Kim Jong Un met with President Xi in Beijing. We spent time with the Prime Minister of South Korea, as well as time with many other leaders. Their feedback was very clear. Perhaps this is the untold story we are not hearing in the United States, in the media, and it is this: The administration's resolve and their diplomacy is what has brought Kim Jong Un to the negotiating table.

The administration is moving forward toward a denuclearized North Korea, and Mike Pompeo has played a critical role in those efforts. As Secretary of State, Mike would continue to defend and represent American interests abroad, protecting our national security and making the world a safer place.

Mike has not just excelled, he has been the best at everything he has put his mind to over the course of his life. He was first in his class at West Point, a graduate of Harvard Law School, editor of the Harvard Law Review. He served our country in the military. He ran businesses before serving in the U.S. Congress, which is where my path crossed Mike Pompeo's, as we served as colleagues in the U.S. Congress. Mike has the résumé, the character, and the record of results to make him an exceptionally qualified leader for this job.

As we wait here in limbo without a Secretary of State, lives are on the line, our national security is on the line, and our freedom is on the line. I urge my colleagues across the aisle, please stop putting politics before America's national interests. For heaven's sake, this body passed Hillary Clinton through as Secretary of State with 94 votes. I urge them to make the best decision for our country and their constituents back home and join me in confirming Mike Pompeo as our next Secretary of State.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I thank the Senator from Montana for the unanimous consent request.

CFPB ACTING DIRECTOR MULVANEY

This morning, the New York Times reported that Mick Mulvaney, the head of the Consumer Financial Protection Bureau—that is the Bureau that saved $12 billion for 29 million American consumers who have been wronged, cheated, misled, deceived by banks and other financial service actors. Again, that is $12 billion and 29 million consumers helped by the Consumer Financial Protection Bureau. Think about that for a second.

This morning, the New York Times reported that Mick Mulvaney, the head of that Bureau—the organization that looks out for or at least used to look out for American bank customers—made a speech to 1,300 bankers yesterday, and he told the banking industry to step up their lobbying efforts.

So you have a government official who took an oath to represent the American public to the best of his ability and to carry out his job to the best of his ability at the Consumer Financial Protection Bureau, and he is going in front of bankers and telling them to step up their lobbying efforts to weaken the Consumer Financial Protection Bureau.

The Times reported this, and there is a recording of this, so this isn't—as probably Mr. Mulvaney might suggest or the President will suggest—this isn't fake news. There is a real recording. He told banking industry executives on Tuesday that they should press lawmakers hard to pursue their agenda, and he revealed that, as a Congressman, he would meet with lobbyists only if they had contributed to his campaign.

Here is what the Director of the Consumer Financial Protection Bureau said. He was a Member of Congress—a far-right, tea party, Republican Member of Congress who took a lot of bank contributions, I would add, but I will put that aside for a minute—until he became the head of the Office of Management and Budget and then of the Bureau. He said: ''We had a hierarchy in my office in Congress.'' That is when he served down the hall here at the other end of the Capitol in the U.S. Congress. ''We had a hierarchy in my office in Congress,'' he told 1,300 bankers and lending industry officials at the American bankers conference in Washington. He said:

> We had a hierarchy in my office in Congress. If you're a lobbyist who never gave us money, I didn't talk to you. If you're a lobbyist who gave us money, I might talk to you.

I guess you can't call that bribery. I am not suggesting exactly that it is bribery. But you are saying: If you didn't give me money, I wouldn't talk to you, and if you gave me money, maybe I would talk to you.

Again, I am not a lawyer, and I don't think that is under the classification of bribery, but I think it is pretty awful. It is pretty awful when the guy who appointed you said he was going to clear the swamp. It is pretty awful when you have been elected by the people—in his case, of South Carolina—and you say: If you didn't give me money, I wouldn't talk to you, and if you gave me money, maybe I would talk to you. Can you believe that? This is a high-ranked, U.S. Government official who was confirmed by the U.S. Senate—at least for the first job at the Office of Management and Budget. Deciding who you will meet with based on campaign contributions is the kind of pay-to-play

that makes Americans furious with Washington, DC.

President Trump got elected because he was going to drain the swamp. President Trump got elected because he said the system was rigged. President Trump got elected because he doesn't want this pay-to-play. President Trump got elected because this place needs to be cleaned out. Then he appoints somebody to be the head of the Consumer Financial Protection Bureau who only really wants to talk to you if you gave him campaign money, which is fundamentally what he said.

If the policy at his congressional office has been his policy at OMB and his policy at the Consumer Financial Protection Bureau, it has corrupted all of his work. It is hard to believe otherwise. Mr. Mulvaney should resign. He should resign.

Mr. Mulvaney should release his schedule since he has been head of the Bureau. One of the functions of the U.S. Senate, of either party, regardless of the President, is to oversee what exactly is happening in the executive branch of government, and I think it is important that we see Mr. Mulvaney's schedule. Who is he meeting with? What kind of contributions did they make to him when he was a Congressman? Is he directing money to the Senate majority or to the House majority Members to help Speaker RYAN? Is he sending money to political candidates who have been his allies in trying to emasculate the Consumer Financial Protection Bureau?

Mr. Mulvaney should resign. He should release his schedule. The White House should quickly nominate a permanent CFPB Director with bipartisan support and, may I suggest, a moral compass. I will say that again. The White House should quickly nominate a permanent Director of the Bureau with bipartisan support and a moral compass. Banks and payday lenders already have armies of lobbyists on their side; they don't need one more.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Texas.

CORRECTIONS ACT

Mr. CORNYN. Mr. President, this afternoon, the House Judiciary Committee will begin to consider their version of a bill I have introduced here in the Senate with the junior Senator from Rhode Island, Mr. WHITEHOUSE, called the CORRECTIONS Act. This legislation addresses prison reform—an issue at the forefront of how justice is administered in this country—by focusing on reducing rates of recidivism, or repeat offenders, and ensuring that those reentering society can become productive members of our communities without threatening the crime rate.

Our efforts here are important, as reoffense rates in our country remain at high levels. In other words, our criminal justice system has become a revolving door, with reoffense rates of more than 75 percent for State prisoners and nearly 50 percent for Federal prisoners. So there is a 75-percent chance that somebody who goes to State prison will end up going back and a 50-percent chance that a Federal prisoner will end up going back unless we do something about it.

In law school, students are taught that the bedrock principles of our criminal justice system are deterrence, retribution, incapacitation, and rehabilitation. The reality is that somewhere along the way, we forgot about rehabilitation, and our prisons have literally become a warehouse for people who have been convicted of criminal offenses. That reality is part of the reason that my State of Texas and several other States have led the way not just to be tough on crime but to be smart on crime too.

Texas focused on the important role rehabilitation can play by implementing statewide prison reforms to help offenders learn to overcome the reasons they went to prison in the first place—whether it is a drug or alcohol habit or an addiction, whether it is simply being unprepared to enter the workforce because they dropped out of school or, perhaps, they have some sort of learning disability.

By using recidivism reduction programs like job training or alcohol and drug rehabilitation and letting prisoners go to school while they are in prison to earn a GED or to learn a marketable skill, Texas has reduced its incarceration rate and crime rate by double digits at the same time. Let me say that again. We have reduced our incarceration rate and our crime rate by double digits at the same time.

The end all and be all, in my view, of our criminal justice system must be to reduce the crime rate. In other words, whatever else we do, if the crime rate doesn't go down, we are not getting it right. As a result of the State-based reforms that I am talking about, we have actually been able to reduce incarceration rates and crime rates too.

I must say that when we talk about rehabilitation of prisoners, we are not talking about something we do to them. They have to want it. They have to want to turn their lives around, and they have to take advantage of the opportunities we provide them to do so, because that sort of personal transformation requires extraordinary commitment. Again, it is not something the government can do to somebody. They need to do it for themselves with the help we provide.

By doing so, we found that we can save billions of dollars for taxpayers, and we spared countless victims from further criminal activity. You have to wonder, from the time somebody comes out of prison to the time they reoffend and go back, how many crimes have they committed? How many people's lives have changed forever?

Finally, when they get apprehended for committing a crime, we tend to look at that in isolation, but the truth is, for people who live lives of criminality, this is what they do full time. They commit numerous crimes against property and against people. If we can reduce the crime rate, we can help them get back on their feet and become productive members of society, and we can save money at the same time. It strikes me that this is a pretty good deal.

For years I have tried to bring the successful State-based experiments and models to Washington, DC. That is why I felt it was important to reintroduce the bipartisan CORRECTIONS Act with the junior Senator from Rhode Island. Senator WHITEHOUSE of Rhode Island, my cosponsor of this legislation, and I have very different perspectives on the world. He is a Democrat. I am a Republican. I am a conservative, and I would say he is at least a liberal. I don't know if maybe he would call himself a progressive. The fact is that we tried this and it works. Rather than having the Federal Government and the entire country be a laboratory for experimentation when it comes to things like this, isn't it better to let the States do what they always were conceived of being capable of doing, which is to be the laboratories of democracy? See what works and then take those successful experiments and scale them up so the whole Nation can benefit—that is what this legislation does.

This bill requires the Department of Justice to develop assessment tools that will assess the recidivism risk on all eligible offenders. In other words, we are not going to give hardcore multiple offenders—violent criminals—the benefit of these programs. What we will do is to start with the low-risk and moderate-risk offenders. We have scientific tools, tests, and the like that can help us make better decisions on who ought to be eligible and who should not.

We also shift the Federal Bureau of Prisons resources toward those most likely to commit future crimes. In other words, if we take low-level and mid-level offenders and we give them a way out to turn their lives around and become productive and we reduce the crime rate, that gives us more opportunity to focus on the hardcore violent criminals that are the greatest threat to our communities across the board. Focusing on less restrictive conditions for lower risk inmates and focusing on the hardcore violent criminals gives us a chance to concentrate our efforts on the people most likely to commit future crimes and to reoffend.

Our bill requires the Bureau of Prisons to partner with private organizations, including ones that are not-for-profit or faith-based, to promote recidivism reduction. We have had some very successful programs in Texas where religious organizations will go into the prisons and offer people a chance, not only to learn the skills they need in order to succeed on the outside but to turn their lives around by recognizing a higher power in their life. This is the

sort of experience that causes many people' lives to be transformed forever. Again, it is not because of something government does to them but because of what they embraced and have done for themselves.

I am more encouraged than ever that we will see some positive momentum on prison reform as the President and some of his closest advisers see prison reform as a top priority. Jared Kushner, the President's son-in-law, had a piece today—I believe it was in the Wall Street Journal—talking about this initiative. He has been a great partner, working with House colleagues and Senate colleagues to try to make this a priority, as well as urging the President and the Attorney General to do so as well.

Earlier this year, the President held an important meeting on this subject after 6 months of exploring the issue with his team. Attorney General Sessions attended, as did my friend and fellow Texan Brooke Rollins, the head of the Texas Public Policy Foundation, whose Right on Crime Program has been on the leading edge of those prison reforms in Texas and, then, taking that message nationwide. That meeting with the President was very productive.

In my discussions with colleagues and at the White House since that time, what we have repeatedly come back to is the idea of taking those success stories at the State level and scaling them up into a Federal reform package.

Our State began this effort back in 2007. A number of States have done the same thing. Over the last decade, we closed or consolidated multiple prisons, saving significant taxpayer dollars. The crime rate has fallen Statewide, even while our State's population has exploded during that same period of time. Something is clearly working back home in the Lone Star State. It has worked in places like North Carolina, where the Presiding Officer played an important role in the reforms in his State, as speaker of the house. It has worked in places like Rhode Island and Georgia, just to name a few.

That is part of the reason why prison reform has enjoyed such broad bipartisan support. It is an issue that unites liberals and conservatives around shared principles of saving money, reducing crime, and successfully reintegrating our citizens into society upon release.

I believe in the essential dignity of every human life. If there is a human life we can help salvage by giving people access to some of these programs and by changing the way we look at incarceration as—not just a warehouse where we put people, but also by providing people who are willing to take advantage of these programs the opportunity to turn their life around—it strikes me that we are giving people a second chance. It seems to me like the right and just thing to do.

Are we going to be able to save everybody? I am not naive enough to think that we are going to be able to save everybody. Some people are simply going to have to be incarcerated and kept off the streets so our communities can be safe, but that is not true for everybody. Looking at low-level and mid-level offenders, doing the sort of risk assessments I am talking about, giving them access to these programs where they themselves can turn their lives around while making our communities safe, and giving them an opportunity for a second chance and to save money—that strikes me as something we need to do.

Every day we fail to act on this issue we allow our prisons in the United States to become more bloated, more inefficient, and more wasteful. State and local governments spend more than $200 billion a year on criminal justice, and a large fraction of that is spent on locking people up. I know there are some people who think we ought to lock them up and throw away the key, but that doesn't happen. People get out after a few years. The question is, Are they going to be prepared to reenter lawful society or will they simply go back to the same old lifestyle, reoffend, and end up back in prison?

There are even more consequential and less tangible costs on our communities when people continue to reoffend, because they don't find a way out of their life of crime. There is the cost on strained and broken families, on lost incomes and savings, on children who have to grow up without one or both parents. Those are some of the collateral damages of our criminal justice system when we don't take advantage of commonsense, proven reforms like I am talking about.

When people go to jail, the ripple impact affects all of us. It affects all of our families, all of our friends, and all of our neighborhoods. Some people need to go to jail. They need to stay there to pay for their crime and to be separated or segregated from law-abiding society to keep our communities safe.

Again, if we can help address the problems by expanding programming like substance abuse treatment and vocational training, which have been proven to reduce recidivism, these programs can help break the vicious cycle of imprisonment. For people who want a better life but simply have not found a way out of it, by investing in programs that focus on job training, education, drug rehabilitation, and mental health treatment, we can save taxpayer dollars and lower crime and incarceration rates and decrease recidivism.

More importantly, in the end, I think we can help people to change their lives for the better. We can give them hope and give them some opportunity and let them accept the power of transforming their lives and the promise that provides to them and to all of us.

I applaud the administration and the Attorney General's efforts to refocus our criminal justice reforms on the prison reform issue and for their work so far. I am encouraged by Speaker RYAN's meeting with members of the President's staff last week and by the House Judiciary's action starting today. I know it will not end today, but they are taking up a version that closely mirrors the CORRECTIONS Act, which I have addressed in these remarks.

I also greatly appreciate the leadership of my cosponsor, Senator WHITEHOUSE. I know that other people have other ideas—perhaps about sentencing reform and the like—but in this political environment, I am for doing what we can do rather than spinning our wheels being frustrated about things we can't do because there is simply not the political support in the House, the Senate, and at the White House to get it done.

The prison reform bill, I believe—the CORRECTIONS Act—is the way to go. I am looking forward to working with all of my colleagues in the House and the Senate, as well as the President, to get this done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CAPITO. Mr. President, I am glad to be here today to be on the Senate floor to rise to urge my colleagues to confirm Mike Pompeo as our next Secretary of State.

The Senate is an institution built on history and tradition. We hear that quite a bit as we walk the halls, particularly where it comes to confirmations.

Confirming the President's Cabinet, confirming judges, confirming a Supreme Court Justice, I think, is one of the greatest honors that we enjoy as Senators.

Recent Secretaries of State have enjoyed strong bipartisan support from this Chamber during their own confirmation process. Hillary Clinton was confirmed by a vote of 94 to 2. John Kerry was confirmed by a vote of 94 to 3. These are overwhelming, bipartisan votes, and it is not because everybody in this Chamber agrees with everything Secretary Clinton or Secretary Kerry would have done on most of the foreign policy questions. The result is the Senate's strong tradition of confirming qualified nominees to represent the United States on the world stage. This very crucial position, Secretary of State, gives the President his or her voice around the world in the diplomatic realm. But when it comes to the confirmation of this nominee, Mike Pompeo, many of my colleagues have

seemed way too ready to brush aside this long-held tradition. What is the reason for this? I think you would agree with me—the reason is pretty obvious—that it is just flat-out partisanship. Partisanship is the only explanation because it certainly could not be, is not, and will not be the nominee's qualifications.

We have all heard Mike Pompeo's résumé by now. His list of experience and accomplishments make him more than qualified to serve as this Nation's top diplomat. I think some of his qualifications are worth repeating.

He was first in his class at West Point. He was a cavalry officer in the U.S. Army and served honorably. He is a graduate of Harvard Law School. He was an editor of the Harvard Law Review and the Harvard Journal of Law & Public Policy.

After law school, Mike worked at one of the country's very prestigious and top law firms before he cofounded a company where he served as CEO. He then joined another company where, again, he served as the CEO.

That was all before Mike was elected to serve four terms in the U.S. House of Representatives, where I was very fortunate, in my years as a U.S. Congresswoman, to serve and work alongside him and to call him my colleague.

During his time in Congress, he served on the Permanent Select Committee on Intelligence. Just on the title alone, ''Permanent Select''—it is a committee selected by the Speaker and the minority leader—you know that it is extremely important because it deals with all of the Nation's intelligence.

We know that after he left that position as a Congressman, he became President Trump's Director of the CIA. By all accounts and by all reports, he has done an absolutely exceptional job. He revitalized the morale within the CIA and put us on even footing on one of our core missions.

I think it is an impressive list of qualifications that he has, especially when you compare some of our previous Secretaries of State.

I would ask the question: What does it take for a military officer, a lawyer, a CEO, a Congressman, and now a CIA Director to get one Democratic vote out of committee? Why is there such pushback on such a qualified nominee? I believe it is because of a partisan campaign to obstruct. We have seen it on other nominations and certainly on this one.

This sort of obstruction does not help our government function. It doesn't help the career folks over at the State Department do their job—and they are ready. It doesn't help our country lead on the global stage, and it certainly doesn't help the people we serve.

This is an important time in our Nation's history, particularly around the world. You and I just heard the French President—the Chief Executive—talk about the needs of Europe and his views on terrorism and America's place as a world leader. Now, more than ever, we need a strong and qualified Secretary of State. We need a leader to negotiate with North Korea. These negotiations are coming up rapidly, and we know that Mike Pompeo has already developed a relationship.

We need him to counter the Russian aggression we see cropping up in other areas all around this globe. We need a strong leader to address the chemical weapons situation in Syria, as tragic as it is. The list could go on and on.

And do you know what? Mike Pompeo is up to this job, and we should give it to him. We should give it to him in this Chamber by confirmation.

The American people want Washington to work. They want us to work together. They want us to work as a team. That is how we are set up. So how can that happen if the President can't even get the opportunity to put his own team in place?

I am going to vote for Mike Pompeo to be our next Secretary of State because I want the President to have his team. I want the Nation to have a strong leader. I want our State Department to be functioning as fully, as vibrantly, and as aggressively as we can around the world in these dangerous times.

With that, I urge my colleagues to put partisanship aside and confirm Mike Pompeo as our next Secretary of State.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, I rise to join the Presiding Officer and others who have been on the floor hoping that we will move this week to support the confirmation of Mike Pompeo, who has been nominated to be the Secretary of State.

It is a critically important time for the country. I think we heard this morning in a joint meeting from the President of France the importance of our country and those who agree with our defense of freedom and security to stand up for that. There are threats all over the globe, and certainly everybody realizes that Mike Pompeo, the current Director of the CIA, would have the knowledge he needs to do the job. He clearly has the experience he needs to do the job, and he has the support of the President, whom he would be representing.

Historically, this body, until recent years, always dealt with foreign policy as if we were sure that bipartisanship starts at the water's edge and partisanship ends at the water's edge. That long tradition was always evident, particularly in the Secretary of State's job and confirming people to important positions that relate to our national security.

John Kerry was confirmed as Secretary of State by a vote of 94 to 3. Hillary Clinton was confirmed by a vote of 94 to 2, Condoleeza Rice received 85 votes when she was confirmed, and Colin Powell was confirmed unanimously. That is the tradition the country has always set for this job.

My colleague from New York Senator SCHUMER said in 2013—and this is an exact quote: ''Who in America doesn't think a President, Democrat or Republican, deserves his or her picks for who should run these agencies? Nobody.'' That is end of that quote. That is the answer to his own question. Apparently, that is no longer the answer to that question on the part of Senator SCHUMER and others.

Senator Kerry, and later Secretary of State Kerry, said in 2009:

> It is essential that we provide the President with the tools and resources he needs to effect change. That starts by making sure he has the national security team he has chosen in place as soon as possible.

Secretary Kerry and Secretary Clinton were not confirmed because Republicans agreed with every single one of their policy positions. They weren't confirmed because their colleagues in the Senate agreed with every one of their votes. They were confirmed because they were qualified to do the job, and the President, who had nominated them, deserved to have his team in place to carry out the policies he had been elected to carry out.

Now the same standard should be extended to Director Pompeo, who is eminently qualified for the job. Director Pompeo graduated first in his class at the U.S. Military Academy at West Point in 1986, and he served as a cavalry officer patrolling the Iron Curtain before the fall of the Berlin Wall.

After leaving Active Duty, Director Pompeo graduated from Harvard Law School where he edited the Harvard Law Review. This is a man of great accomplishment before he entered politics.

In addition to those things, he also ran two successful businesses before he was elected to the House of Representatives in 2010. He served in the House from 2010 to 2017. He was a member of the Intelligence Committee. In that role, he was at the forefront of information that is important to national security, ranging from the Iran nuclear accord to the PATRIOT Act. He understands these issues. He is a person of significant capacity. Again, maybe most important of all the qualifications, he was picked by the President of the United States who, after this time of working together with Director Pompeo as the Director of the CIA, the President should know exactly what he is getting, and, frankly, we should too.

President Trump decided to not only nominate Director Pompeo to be the Director of National Security, but when he was sworn in—when he was confirmed, before he was sworn in, 66

to 32 was the vote. Fourteen Senate Democrats, most of them still here—if not, they may all still be here—voted for Mike Pompeo to be the Director of the CIA. I would say he is more qualified today to be Secretary of State than he was then to be the Director of the CIA because not only has he done everything he has done up until then, but he has understood, from the unique perspective of the CIA, the foreign policy and the intelligence challenges we face every day.

He has taken the responsibilities seriously. He has briefed the President over and over again. The President knows exactly what he is getting and Director Pompeo should know exactly whom he is working for.

SENATE RULES ON NOMINATIONS

Given the numerous challenges we face here and around the globe, it is important that we swiftly confirm not just Mike Pompeo but the President's other nominees. Many of these positions still remain vacant because our colleagues across the aisle have, frankly, wasted hours and days obstructing the confirmation process. It is way beyond any normal way that this has been approached.

Right now, we are in the middle of a 30-hour debate. I don't see that many people debating. We had a big debate yesterday—at least time was reserved—at the insistence of the minority. I think the debate was about 28 minutes out of the 20 hours between the time the nominee could have been voted on, and he would have gotten the same number of votes he got almost 20 hours later, after 28 minutes of debate.

President Trump's nominees have faced 88 cloture votes. That is the time we are in now, where we have a cloture vote and then we have this long period of time for theoretical debate that doesn't occur. Those nominees have faced 28 cloture votes compared to 24 total cloture votes in the first entire 2 years of the 6 previous Presidents combined. So there was an average of four cloture votes for those Presidents in their first 2 years. President Trump has had 88 cloture votes in less than a year and a half.

Something is happening differently than has ever happened before. It takes an average of 85 days for the President's nominees to be confirmed once they get to the Senate, 20 days longer than President Obama's nominees. The other difference with President Obama's nominees is, we didn't stop all the work in the Senate during the 60 days that we were having hearings, getting the nomination ready for the floor. We didn't do exactly what we are doing right now, which is fully taking advantage of every right the minority has to insist on debate. The only thing missing in that debate is the debate. At the rate we are going, it would take more than 9 years to confirm all of the President's nominees. This would be 9 years of his 4-year term. If he didn't nominate anybody else, this would be longer than the President would have if he were elected to two terms. It is unacceptable. It is ridiculous. It denies the President that counsel he needs of senior leaders, but it also denies the Senate the floor time it needs to deal with the issues.

If people have watched the Senate in the last several years, and particularly if you have watched it over the last several months, the quorum call that we so often have—the one I suggested we remove ourselves from—is what you see when you turn on the Senate because we are waiting for a vote to happen, the debate of which does not occur.

So, later today, the Rules Committee I chair will be considering Senator LANKFORD's legislation to address these delays in the confirmation process. All Senator LANKFORD's resolution does is to make permanent the same rules Senate Democrats agreed to in 2013, when they were in the majority. While they were in the majority, a majority of Republicans and Democrats all agreed we would confirm President Obama's nominees with debate that more nearly met the likely debate for that office.

Senator LANKFORD's resolution would simply reduce debate for most executive branch offices from 30 hours down to 8 hours and for district judges from 30 hours to 2 hours. By the way, we don't have to use those 2 hours or those 8 hours either. If there is no debate, we should always move to the vote, but at least the debate time still gives the minority the protection that traditionally they have had. When you abuse the minority protections in the Senate, that is when those protections tend to go away.

The resolution still would have 30 hours of debate for the Supreme Court, for circuit courts, the courts of appeal for all the district courts, and for Cabinet-level nominees.

We are not opposed to debating nominees and really debating them. I think the opposition here is we are opposed to not debating and using up time simply as a delay tactic, where the result would be the same, whether you voted in 30 minutes or 30 hours.

Now, remember, this is the same framework the Senate passed by a vote of 78 to 16 in 2013. Fifty-two Democrats voted in favor of this exact same resolution in 2013, including the current minority leader. Senator LANKFORD's proposal would make that framework permanent. It would allow the Senate to expedite the confirmation process for the President's well-qualified nominees. It would also allow the Senate to get to the other work that the American people expect the Senate to do and have every reason to expect the Senate to do.

So, today and tomorrow, we will continue this process of waiting for the vote on the nominee to be Secretary of State; again, a vote that, prior to recent times, would have occurred right after the report was out and Members knew what they were going to do. So, hopefully, we will begin to look at these rules and our work more seriously.

REMEMBERING TED VAN DER MEID

Mr. President, I want to pay tribute to Ted Van Der Meid, a longtime House of Representatives leadership staff member, who died of pancreatic cancer on March 19.

For the 10 years before Ted left the Congress, I worked with him every day the Congress was in session. He was a great public servant. Ted was emblematic of the professional staff that we count on here in the Senate and across the Rotunda in the House of Representatives. His dedication to the Constitution, the Congress, and democracy guided his work.

Ted didn't seek personal glory or seek to accumulate vast wealth. Instead, he woke up every day working to make the Congress a better and safer place for the American people.

He served as a staff member for several Members, including Jan Meyers and Lynn Martin, before serving as the general counsel to House Republican Leader Bob Michel where he worked on Congressional reform initiatives.

After leaving Leader Michel's office, he served as the chief counsel for the Ethics Committee.

When Denny Hastert became Speaker of the House, Ted became his chief of floor operations and chief legal counsel. In a wide portfolio, Van Der Meid coordinated with the House majority leader on all floor activities. He also was in charge of the institutional operations for the Speaker.

That institutional responsibility became especially important in the context of the 9/11 attacks.

It was Ted who drove the completion of the Visitor's Center that not only made the Congress more accessible to the American people, but also made the Capitol a safer and more secure place for the visitors and for those who come to work here every day. Ted was also involved in the potentially critical continuity of government discussions that overshadowed other concerns in 2002.

When Ted retired from the Congress, he eventually went to work for the Pew Charitable Trust, where once again he devoted his time in seeking to make this institution work better for the American people. In particular, he helped to establish forums where staff from a diverse set of Members got to know each other in more causal settings. It was Ted's view that the better staff and Members knew one another, the better they could find common ground and make progress on behalf of the voters.

Ted was taken away from us much too early. He fought the good fight and always thought about how he could make this Congress and this country a better place for all Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Idaho.

Mr. RISCH. Mr. President, I rise to speak about the nomination of Mike

Pompeo to be our next Secretary of State.

By now, we have all heard about Director Pompeo's accomplishments: first in his class at West Point, U.S. Army officer, graduate of Harvard Law School, editor of the Harvard Law Review, successful businessman, and Member of Congress. It is rare that a nominee to this position has had so many diverse accomplishments.

Some of my colleagues who are opposed to Director Pompeo argue that he will not deliver tough messages to the President or outline all of the policy options. They argue that Director Pompeo is a hawk who would prefer armed conflict to diplomacy. I find these comments disappointing. That has not been my personal experience with Director Pompeo. In addition, military officers are frequently the last ones to seek a military solution to a foreign policy challenge because they know firsthand the cost of war. On the other hand, they also know that without strength, no amount of diplomacy will be able to stop an authoritarian dictator.

I believe Director Pompeo's recent trip to North Korea highlights how effective and committed he is to pursuing diplomatic opportunities. He not only defended core U.S. interests, but he also moved the United States and North Korea closer to negotiations. Maximum pressure, combined with a willingness to talk, is working right now.

I also want to address the issue of communication with Congress. I have heard claims about information not being shared with the Hill. As a member of the Intelligence Committee, I have worked with Director Pompeo regularly and can personally vouch for his accessibility and candor. Having worked with a number of CIA Directors over the years on the Intelligence Committee, I can personally attest that Director Pompeo is at the top of the class for being open and straightforward.

I would also like to address the issue of bipartisanship. Since coming to the Senate a decade ago, I have had the chance to vote for three Secretaries of State. Mr. Pompeo will be my fourth. In each case, I have supported the President's nominee to serve as Secretary of State. President Obama's choices for Secretary of State would certainly not have been my choices. In the case of Secretaries Clinton and Kerry, there were numerous issues where we had substantial disagreements. I believed that as to the Secretary of State, however, the President was entitled to deference as to his choice, and that choice deserved bipartisan support because their credibility as the top diplomat is strengthened by bipartisan support.

Another important factor is that, with Secretary Pompeo, world leaders will know that he speaks directly on behalf of the President—something that has been an issue in the past. This quality is very, very important for a Secretary of State.

Director Pompeo is more than qualified to serve as Secretary of State. In fact, at this point, because of his service at the CIA, Director Pompeo is uniquely positioned to be a very successful Secretary of State. No other place in our government provides more insight into the inner workings of other countries than the work of our intelligence agencies. The CIA is certainly one of the top intelligence agencies, and Director Pompeo, in his service, has had access to and indeed directed the work of the CIA and has a very deep and profound understanding of the other nations in the world, and that applies particularly to the troubled spots in the world. He is uniquely qualified because of this experience to serve as Secretary of State.

We have often used the phrase ''politics ends at the water's edge'' to signal that our domestic political differences do not erode our diplomats' strength overseas. I hope that this vote does not change what has been a longstanding goal for our diplomatic efforts.

I urge my colleagues to thoughtfully consider support for Director Pompeo.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, what has happened to the State Department under this administration is almost impossible to imagine. What we are seeing there is a devastation and a decimation of the resources of a great part of our government, one of the most important parts. It is a small percentage of our budget, but the work done by the State Department is critically important in maintaining the position of the United States around the world, projecting our image—our values—where we can, helping the helpless in parts of the world where many countries come to their aid.

Under this administration in the last year, we have seen things happen that are unimaginable. When it gets down to the basics, key posts are unfilled at the State Department. There are more than 30 vacancies in ambassadorial positions. Don't blame Congress for it. In many cases, they have not even sent us the names of the nominees.

Can anyone here believe that we still do not have an ambassador from the Trump administration to South Korea? South Korea? We spend time talking about the Korean Peninsula and the future of the Korean Peninsula, and this President cannot find an ambassador to represent the United States in South Korea. What is the possible explanation for this? He can't blame anyone but himself. He has not sent us a nominee to even consider.

We are faced with a nuclear-armed North Korean dictator. We have 28,000 American U.S. military personnel who are literally risking their lives in South Korea, and we don't have a diplomat on the scene to try to make sure that the United States is well represented.

The Department is also hemorrhaging top staff. Under Secretary Tom Shannon—one of the most respected—is scheduled to leave soon. It is no surprise this is happening. President Trump has repeatedly proposed dramatic, irresponsible cuts in the budget of the Department of State. His administration has kept top diplomats out of key discussions and deliberations. How, at a time of such international unrest in this dangerous world we live in, can we be diminishing and demoralizing our topline diplomats? How can that be a smart way to keep America safe?

I have been hoping someone would come along to right the ship at the State Department—someone to draw on this amazing reservoir of American talent in the areas of diplomacy and foreign policy, someone to make sure our best diplomatic efforts are projected to prevent conflict and to further American interests, someone who could be a proud face of America around the world.

It was in this context and with this challenge that I met with Mike Pompeo. He and I have met and had serious and challenging discussions before, notably when he was nominated to be Director of the Central Intelligence Agency. We met again a few weeks ago. It was a good, candid conversation. He seemed to understand the desperate situation at the State Department and that the State Department's top experts should be included in key administration discussions.

This conversation left me in the same place, I believe, that Senator MENENDEZ pondered at the end of Pompeo's Foreign Relations Committee hearing: Who is the real Mike Pompeo?

You see, I find it hard to square the reasonable man I met with the other day with some of his actions and comments. For example, has Michael Pompeo completely renounced the use of torture? He said he would not obey an order from the President to use torture. Let me add it is tragic that we have a President who brags about using such illegal, abhorrent, and un-American approaches, but we still have to worry about this. Contrast that with Mr. Pompeo's previous defense of waterboarding or his jarring comments about the 2014 Senate Intelligence Committee's torture report when he said ''Senator Feinstein [today] has put American lives at risk'' and that the intelligence operatives whose acts were scrutinized were ''heroes, not pawns in some liberal game being played by the ACLU and Senator Feinstein.''

Or what about Mr. Pompeo's association with prominent anti-Muslim figures in the United States, like Frank Gaffney? The Southern Poverty Law Center calls Mr. Gaffney one of America's most notorious Islamophobes. For

example, Gaffney favors congressional hearings to unmask subversive Muslim conspiracies and was even banned from the far-right Conservative Political Action Conference events after accusing two of its organizers of being agents of the Muslim Brotherhood. Yet Mr. Pompeo appeared on Mr. Gaffney's radio show at least 24 times between 2013 and 2016.

What about when Mr. Pompeo used his position on the House Intelligence Committee to accuse then-Secretary of State Clinton of orchestrating a wide-ranging coverup of the Benghazi attacks that ended in the tragic loss of American lives in Libya? Is there anyone here who believes for a minute that was not a political witch hunt, which in part led to the further discrediting of the critical congressional committee involved—a committee that, incidentally, has lost all legitimacy in the current investigation over Russia's involvement in our election?

I face this decision on Mr. Pompeo with real concern. There are many policy issues on which Mr. Pompeo and I might disagree, notably on the Iran nuclear agreement. I asked him point-blank: What do you think is going to happen to this nuclear agreement to stop the Iranians from developing a nuclear weapon?

His conjecture was that this President would walk away from it and hope that our European allies, who also signed on to this agreement, would enforce it. Does that sound like a cogent foreign policy for a leader in the world like the United States?

Our Nation desperately needs someone to bring leadership to the State Department, but torture, Islamophobia, and wild political conspiracy theories don't seem to mesh with being our Nation's top diplomat from where I am standing.

I will vote against Mr. Pompeo's nomination. I sincerely hope I am wrong about this nominee. I believe he will be approved by a very small margin. I hope he will, in the end, uphold our Nation's laws and values when it comes to torture, tolerance, and international cooperation. I hope he will make sure diplomacy is exhausted before we turn to yet another war and, in particular, that he will resist John Bolton and others who are notorious for wanting to rush into military conflict. I hope he will listen carefully to Secretary Mattis at the Defense Department—someone I supported and someone I trust. I hope he will be clear to this President, as the man who is the Secretary of State in his administration, that climate change and Russia are truly threats to our Nation and well-being. Doing this will help strengthen America's leadership abroad and help build greater trust and cooperation in Congress.

DACA

Mr. President, on September 5, the Trump administration announced its repeal of the Deferred Action for Childhood Arrivals Program, known as DACA. As a result, hundreds of thousands of immigrants who came to the United States as children, toddlers, and infants—known as Dreamers—face losing their right to stay here without being subject to deportation and the right to legally work in America.

DACA provides temporary legal status for Dreamers if they register with the government, pay a substantial fee, go through a criminal background check, and return every 2 years for renewal. It has been a great success. More than 800,000 Dreamers have come forward and received DACA protection.

When President Trump repealed DACA 7 months ago, he set an arbitrary March 5 deadline of this year for Congress to act and replace it. We tried. We offered to this President six different bipartisan alternatives to continue the DACA Program. He rejected every single one of them. He sent to Congress his own plan for dealing with immigration. It received 39 votes in the U.S. Senate—39. Remember, there is a Republican majority of 51. The President struggled to get his own party to support his ideas on immigration.

Luckily, a Federal court stepped in and issued an order blocking President Trump's repeal of DACA. This means those Dreamers who have DACA can continue to apply for renewed status. I certainly urge every DACA recipient to file for renewal as quickly as possible. There was a ruling yesterday, as well, in one of the DC district courts which also said that perhaps the President's actions on DACA can be questioned, and he gave the government 90 days to produce evidence of what authority the President used to reach that conclusion.

The Trump administration is doing everything in its power to fight this injunction, and it could be lifted any day. We don't know when the courts will turn and make a decision. This means there is still an urgent need for Congress to act to overcome the decision of the President of the United States of last September 5.

Last week, the Department of Homeland Security released updated statistics on DACA. It shows, as of March 31, more than 32,000 DACA renewal applications are pending. Of these pending renewal applications, more than 9,000 were from recipients whose DACA protection had already expired, and tens of thousands more Dreamers have DACA protection due to expire very soon.

The President has created chaos, not just in the White House but clearly at the Department of Homeland Security as they try to respond to his decisions. Secretary Nielsen of DHS has promised me and has said publicly that she will not be party to deporting any DACA recipient with a pending DACA application, even if their DACA status has expired. We will hold her to that commitment.

However, for DACA recipients whose status has expired, they are not going to be given any work permits while their renewal applications are being considered. It means tens of thousands of DACA-eligible individuals could be forced to leave the jobs they have—such as teachers in our schools or even in our military—because of the chaos that has been created by President Trump's decision.

Consider the fate of Dreamers who are eligible for DACA but have never quite reached that status. Until this decision is made in the court hearing in the District of Columbia, they can no longer apply for DACA protection because of President Trump's decision to prohibit new applications after September 5 of last year.

The nonpartisan Migration Policy Institute estimates that—in addition to 800,000 DACA recipients—there are an additional 1 million Dreamers who are eligible for DACA. President Trump's cruel decision to end DACA means that some 1 million DACA-eligible people cannot even apply.

On September 5, President Trump called on Congress to legalize DACA. As I mentioned, he has refused to accept six different bipartisan approaches that would. He even rejected one approach that offered $25 billion for his infamous wall on the Mexican border. Instead, the President has tried to put the entire hard-line immigration agenda on the backs of DACA recipients.

It is not working, for 85 percent of the American people are on the side of these young people who were brought to the United States as kids, children, infants who grew up in this country, pledging allegiance to that flag, and wanting to be part of our future. There are 85 percent of Americans, including many Trump voters, who believe that is the right and fair thing to do, but a handful of hard-liners in this administration are determined to exact a punishment on these young people and their parents. That is why we find ourselves in this situation today.

I have come to the floor more than 100 times to tell the individual stories of these Dreamers. I do that today as well.

This is Karina Macias. She is the 114th Dreamer whose story I have told on the floor.

At the age of 3, her family brought her to the United States from Mexico. She grew up in East Palo Alto in Northern California. She loved to read and spend her afterschool time and summers at the local Boys & Girls Club. Karina was an excellent student, and she received numerous awards in high school, including the Mount Holyoke Book Award, the AP Scholar Award, and a Rotary Club Academic Achievement Award. She was the co-editor of her yearbook and copresident of the Community Service Club. She volunteered as a tutor and worked as a volunteer in food distribution centers. She attended Saint Mary's College of California, where she continued to excel academically and to receive many awards. In May 2016, she was awarded a bachelor's degree in communications.

She works today as a project manager at a biotechnology firm. She volunteers with the Peninsula College Fund, where she organizes career development and college success workshops. She tutors elementary students and mentors middle school youth who compete in local science competitions.

What is her dream for the future? She wants to pursue an advanced degree so she can become a biotechnology researcher.

Here is what she wrote in a letter to me:

> DACA is my hope for a future in which, with hard work and perseverance, I can achieve any dream imaginable. It's my protection from being ripped away from the only place I've known as home. It's the promise to my baby brothers—both U.S. Citizens—that I'll be around to watch them mature into exceptional young men. It's the ticket that allows me to be a contributing member of society. I credit my success to the endless support I have received from so many sources. I want to give back so my fellow Americans have the opportunities to achieve their dreams.

What a tragedy it would be to deport this young woman. Why would America do that? What sin has she committed? What crime is she guilty of? Who will feel so good to see her leave America? It will certainly not be the many people whom she currently works with and serves in her community.

That is what we face because of President Trump's decision to end DACA. That is what hundreds of thousands of young people face every single day, who are just like Karina, because of this President's personal, unilateral decision. President Trump created the DACA crisis we face today.

Instead of working toward a solution, a few hard-liners around him have sabotaged every effort to help the Dreamers. In fact, the President quickly adds: Don't use the word ''Dreamer.'' He doesn't like that word. It is why I have used it so often today. I introduced that DREAM Act 17 years ago, and I am glad it has become common parlance in America when referring to the plight of these young people.

Congress needs to do its job; most importantly, the President needs to do his. If he truly wants to lead this Nation and bring us together, if he wants to stand for fairness and justice and the opportunity for young people to make America better, then this President has to step up and admit that the problem he created on September 5 of last year can only be solved if he stands up and shows the courage and determination to find a solution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, earlier today, we heard the French President address a joint meeting of Congress. He reminded us that the French and American people have always fought side by side to defend our common values. France was our original ally during the American Revolution.

Americans fought and died in France during World War I and World War II. Our alliance has spanned centuries because of diplomats who have cultivated the close relationship that the countries continue with today, and it is a shame we didn't have a Secretary of State of the United States who could have helped us welcome the French President during his visit here. We have a nominee who is eminently qualified—Mike Pompeo—and Republicans are ready to confirm him right now. We were ready to confirm him last week. We are ready for him to get to work in maintaining and strengthening relationships around the world.

Under previous administrations, we could have brought the nomination to the floor of the Senate without needing to waste all of the time and the delays, by the Democrats, on a cloture vote. That is how we used to treat important national security positions like the Secretary of State but no more, apparently. That is what happened even when Senators disagreed with the administration's foreign policies.

Consider Secretary of State Hillary Clinton and Secretary of State John Kerry. The Republicans and Democrats agreed that the President deserved to have the team he wanted—the people he wanted—on the ground helping him. We all agreed some of these positions were very important to national security—so important that, in a bipartisan way, we felt that playing political games with them was just wrong. Apparently, that has changed in the eyes of the Democrats now that Donald Trump has been elected President of the United States.

When Barack Obama became President in 2009, the Republicans didn't obstruct his nomination of Hillary Clinton to be Secretary of State. No. She was confirmed by a vote of 94 to 2. Then, when President Obama nominated John Kerry for the job in 2013, the Republicans didn't slow down or block that choice either. He was confirmed by a vote of 94 to 3. The Republicans had serious concerns about President Obama's foreign policy ideas, his strategies, his approach, but we confirmed the people whom he wanted as his Secretary of State. We did not obstruct these nominations, and we didn't try to tarnish the reputations of the people whom he picked for these important jobs, not at all.

I think the Senate does have an obligation to carefully evaluate a President's nominees. When those nominees are qualified and capable, then the President has every right to have his team and have his team in place quickly. That was the standard the Republicans applied to these Democratic nominees for Secretary of State under a Democratic President.

What has happened since then? Why has all of this changed since then?

We now have a Republican President, and we have a Republican nominee to be Secretary of State. It seems the Senate Democrats have tossed out the way things have always been done before. ''No, we do not want to do it that way anymore.'' The only interest seems to be obstruction—obstructing, delaying, resisting anything the Republicans, under President Trump, are trying to do, anything he is trying to do in terms of getting his team in place—a team he needs.

How does someone justify a vote for these two people to be Secretary of State—the Democrats and Republicans who voted for these two—and then turn around and not vote for Mike Pompeo? How can you justify that? I certainly cannot.

When Mike Pompeo was nominated to be the Director of the Central Intelligence Agency, 15 Senators from the other side of the aisle were willing to set aside partisanship. They knew he was qualified for the job—first in his class at West Point, the Harvard Law Review, his activities as a Member of Congress. Everything he has done as the CIA Director has shown that those 15 Senators made the right call to support him over a year ago. They made the right call to join the Republicans and to respect the traditions of the Senate—to put qualified people on the job even if they may not have agreed completely with their philosophies on political issues.

There is no reason other than pure partisan politics that any of these Democrats would vote against Mike Pompeo now. He is eminently qualified. He showed during his confirmation hearing—he went through 5 hours of questioning—that he has the intelligence, he has the integrity, and he has the experience to serve as our Nation's Secretary of State.

Turn to the newspapers. You have the Washington Post coming out, writing: ''Confirm Mike Pompeo.'' You have USA TODAY coming out today and writing: ''Confirm Mike Pompeo.'' We even have the New York Daily News—the hometown newspaper of the leader of the Democratic Senate—coming out and writing: ''Confirm Mike Pompeo.''

The Democrats in the Senate don't seem to care. It doesn't seem like they are interested in doing the right thing. They are interested in obstructing and continuing the history of the deliberate delays we have seen with them through this administration. They have been doing it since the very first day of the Trump administration. At this rate, it would take more than 9 years to confirm all of President Trump's nominees for important jobs. Why? The Democrats can't offer a single good reason. The Senate has been forced to waste huge amounts of time in confirming nominees who aren't even controversial at all.

When Senate Democrats try to block the President from filling important national security jobs, they are putting America's security in danger. We all know the world is a dangerous place and is getting more dangerous every day. Our adversaries are opportunistic. Our adversaries are aggressive. Our allies are eager to work with the United

States. That is what the President of France told us today.

Have the Democrats already forgotten the atrocities we saw in Syria a few weeks ago? It was France and Great Britain that joined the President of the United States in launching airstrikes against Bashar Al-Assad's chemical weapons facilities.

We need to be able to maintain the relationships that allow this kind of action to occur. We need people on the job who can both encourage our allies and deter our enemies. The Senate Democrats have to decide what is more important to them—protecting America's national security or appeasing the extreme liberal, far leftwing of their party.

I understand if there are Senators who have principled reasons for objecting to this nominee or any nominee. They can vote no but not continue to hold up or slow down the process as they have done for a year and a half. I think, if a Senator is against a nominee, then come to the floor; state the objection; cite the evidence; vote no. Yet that is not what many Democrats here are doing with their obstruction of one nominee after another, and it is not what they have done with their obstructions of hundreds of nominees. For them, it doesn't seem, at least to me, to be a principled stand. It seems to be a reckless political stunt.

I listened to my colleagues on the Foreign Relations Committee the other evening when we voted on this nomination. I listened to the Democrats speak on the floor and speak to the press. Frankly, I have not heard a single good reason to delay the Senate's consideration of Mike Pompeo to be Secretary of State. The Democrats need to stop the games, stop the delays, allow us to move immediately to vote on his nomination, and get President Trump's Secretary of State, Mike Pompeo, on the job.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—S. 317

Mr. LANKFORD. Mr. President, Senator MCCASKILL and I rise to have an opportunity to pass a bill and for the Senate to do some work on a bill that has been around for several years and just hasn't been able to go over the finish line. We would like to see that finish today.

It is a bipartisan bill with a very straightforward concept. Right now, if any agency head or any sub-Cabinet individual or any individual within the government wants to see what another agency is doing, they have to go to the Office of Management and Budget. They would do a study—and get it back to them—to find out if the program they are doing exists somewhere else.

If any Member of this body or of the House wants to find out about an agency and such straightforward things as how many employees they have, what programs they are doing, if they measure those programs, how are those programs measured—if we want to find out those very basic things, we have to go to the GAO office to make a request, and 18 months later, we will get an answer back on that specific thing.

This is something that every agency either already has or should have but that the American people can't see, the Congress can't see, and, quite frankly, the individuals within the agencies also cannot see.

This is a straightforward concept. We call it the Taxpayers Right-to-Know Act, and it is something Senator MCCASKILL and I have worked very hard on. It is something that passed out of the Homeland Security Committee unanimously. This is a bipartisan bill. In fact, to show you how bipartisan it is, this passed in the House of Representatives last session 413 to 0. Not a single House Member voted against this proposal, but it wasn't able to pass in the Senate. So Senator MCCASKILL and I brought it up again this year. It came unanimously out of committee; it also has been through the House of Representatives. In January of 2017, it passed unanimously in the House of Representatives again. This is not a controversial piece of legislation.

What is interesting is that Senator MCCASKILL and I did a lot of work with President Obama's Office of Management and Budget to make sure there were no concerns. They had some concerns, so we made some changes, and President Obama's Office of Management and Budget signed off on this and said it would be a helpful document.

We have now worked with President Trump's Office of Management and Budget, which also signed off on this proposal and said that this would work.

We went to the Government Accountability Office, the entity we asked to help us find duplication, waste, and inefficiency in government, and in a hearing we asked Gene Dodaro, the head of GAO, a simple question: Would it be a help to have the Taxpayers Right-to-Know Act? You have the ability to see all agencies. Would this be a help to you? His exact response:

> I would urge the Congress to complete passage of that bill—

meaning the Taxpayers Right-to-Know Act—

> and send it to the president for signature. I think that it would make a huge difference in identifying overlap, duplication, fragmentation in the federal government and provide a better accountability tool to the Congress and the agencies. It's severely lacking.

That is from the head of the Government Accountability Office, the one we have asked to help us find these things. He is saying that he needs this tool. We need this tool. The agencies need this tool.

President Obama's team signed off on this. President Trump's team has signed off on this. It has passed unanimously out of the House of Representatives.

We bring it to the floor today to ask unanimous consent to move this across the floor of the Senate today, to be able to get in place what President Obama asked for, what President Trump has asked for, what the Government Accountability Office has asked for, what all Members of the House of Representatives have asked for, and what Senator MCCASKILL and I are asking for.

With that, I yield to Senator MCCASKILL.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I come today to join my colleague from Oklahoma to ask unanimous consent that we take up and pass S. 317, the Taxpayers Right-to-Know Act.

I want to thank Senator LANKFORD for his continued hard work on this bill. Senator LANKFORD has been working on this bill since his days in the House, and I worked hard to move this bill with his predecessor, Senator Tom Coburn, to try to get this through the Senate before he left the Senate. Hopefully, we can get it across the finish line, if not today, in the near future.

American taxpayers deserve a government that can tell them how their money is being spent. This is all this bill is trying to do. It is not complicated. It is trying to get important information to the people who are paying the bills. Don't they have a right to know where all the money is going?

It improves a publicly accessible online database with information about Federal programs, including the funding information for the program and the activities it comprises; the authorizing statutes and relevant rules and regs; the individuals a program serves; the employees who work to administer it; and copies of recent evaluations or assessments provided by the agency, inspectors general, or the Government Accountability Office.

The truth is, much of this information, including the program inventory itself, is already required by the Government Performance and Results Act, or GPRA. It passed this body by unanimous consent in 2010. But the current program inventory under GPRA is a mess. It is virtually useless to help lawmakers understand whether these programs are actually working as intended or whether they are a payroll without a purpose.

This bill adds a few additional information requirements to the program inventory and makes it much easier to compare apples to apples, which is what we need to do when we are making funding decisions.

Senator LANKFORD and I have agreed to a number of changes to this bill, raised not only by President Obama's administration but also President Trump's administration and by leaders in this body. There were some concerns expressed to us that OMB could use the information to punish agencies by holding up rules and holding up budget requests. I have news for everybody.

They can already do that; they have the ability. But just because they can do it now, we have agreed to include a clause which says that nothing in this bill gives OMB any additional authority whatsoever, other than what is needed to comply with the requirements of this bill. I can't imagine anything clearer than that.

We have added caveats to make it easier for programs and agencies to comply with the requirements of this bill.

I have to tell you, this is what drives the American people crazy. Different from private business, somebody around here could have a good idea and we can legislate a new program, but going back and determining whether that program is actually delivering on the goals that were stated and believed in at the time the legislation was passed—we are really not very good at that. That is what this bill is about.

It will give us the tools to require that these programs and agencies at least have information as to whether they are working—how much money they are spending, what they are trying to do. Why are we hiding behind a maddening bureaucracy when we can simplify things with the technology that is available today? Frankly, if we can't defend these programs and justify how we are spending taxpayer money, we should be shutting them down.

I urge my colleagues to commit to and support this good government transparency bill. I am worried that there is an objection. I am disappointed there will be an objection from the leader of my own party. That is disappointing to me, but it doesn't change my commitment that this is the right thing to do.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 43, S. 317; that the committee-reported amendment be withdrawn; that the Lankford substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. SCHUMER. Mr. President, reserving the right to object, I certainly have a great deal of respect for my friends from Missouri and Oklahoma and their desire to increase transparency in government. I share that goal. But, respectfully, the legislation they are proposing, I believe, would undermine and potentially threaten important programs administered by the Federal Government.

The idea of requiring the government to publish an inventory of Federal programs is not something I object to. As my friend from Missouri has stated, it is already required under the law, but it is such a cumbersome thing to do that for 7 years they have not published an inventory, not because it is lacking the provisions in the bill proposed by my colleagues but because it is virtually impossible to do in the way that you would do it in other far more different and simple things—in a factory that makes widgets.

This bill would go further and make it even more difficult to publish the inventory they already haven't been able to publish. Neither the Director of OMB under President Obama nor the Director under President Trump has complied with the existing law.

I further have serious objections with the reporting requirements. How can an agency, for instance—and this would happen on a thousand occasions under this law—quantify the number of individuals who benefit from the Community Development Block Grant Program? If one neighborhood is revitalized, maybe it benefits the neighboring neighborhoods. What if they put that number in, and the OMB Director says: Oh, no. That is all wrong. There is no way to do that.

How about this: Is there a threshold to the number of people that is too many to administer a program that helps disabled Americans get appropriate schooling or access to healthcare? These types of questions could fill volumes and volumes. There is no good answer to them, there is no clear answer to them, and this law will not make it any easier to discern which programs are working and which programs are not.

I have a great deal of worry, particularly, to be honest, with Director Mulvaney. If you saw the budgets that Director Mulvaney has submitted to this Congress—he has eliminated just about every potential program. He is a scourge. He was one of the 10 most conservative Members of the House when he was there. He eliminated programs necessary in my State to keep the Department of Defense going, to help our nuclear weapons stay strong. He zeroed them out; he didn't just cut them. Can you imagine if he got his hands on this? He would use this bill not for the purposes my colleagues intend but to basically hold back money, punish, and in other ways delay very necessary programs that 90 to 95 percent of this Congress agrees to. I am concerned that this legislation, left to the implementation and oversight of a man so hostile to government services up and down the line, whose budgets have been dramatically and repeatedly rejected by Democrats and Republicans alike in the House and the Senate, would be used for ill, not good. The potential downside to this legislation far exceeds the potential upside, dramatically.

I cannot in good conscience support a bill that would give Mr. Mulvaney more tools to slash Federal programs that almost every American would agree serve the public good.

In conclusion, I support the goal of this bill, which is to provide more transparency to taxpayers, but I believe it will not. It will confuse things, delay things, provide more layers of bureaucracy, not less, and can well be used by someone who believes in slashing programs of all kinds to delay them, fail to implement them, and not deliver the services that so many Americans need. I strongly object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, Senator SCHUMER is just flat wrong. He is just wrong about this bill. There is nothing in this bill that gives the OMB Director any additional power. There is nothing in this bill that gives him any additional tools to delay or cut programs. In fact, we specifically put that language in at the request of the minority floor leader, that this would give the OMB Director no additional tools.

Frankly, I remember when we were having the discussions under the Obama administration. Many of my Republican colleagues were worried that this would be a way for the Obama administration to somehow have more power than we want them to have.

The bottom line is, we have the power in the legislative body to decide which programs get funded. We are the people who appropriate government funds. Shouldn't the taxpayers and Members of Congress have an easily accessible way to get good information about a program?

By the way, no one is saying that anybody has to draw certain conclusions from the facts that would be on this website. We are only asking that the facts be put on the website. It is not nefarious. There is no plot here. I don't want to hurt CDBG, and neither do all of the House Members who voted for this. Not one Democratic House Member objected to this bill.

So I have to respectfully say that Senator SCHUMER is wrong about this legislation. He is wrong about what it would do. It is the right thing for good government. It is the right thing for transparency. I am going to keep working at it until hopefully we can either convince every Member to let this go by unanimous consent or until we get an opportunity to get a vote on it on the floor, where I am confident it would win by an overwhelming number.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I could not more wholeheartedly agree with my colleague from Missouri.

What is surprising to me is that Senator SCHUMER's objection to the taxpayers right-to-know bill was that the taxpayers would actually find out information that he doesn't want them to find out. That is the surprising part.

I am grateful to be able to get his answer because over the last 6 months, our staff—Senator MCCASKILL's and my staff—has worked with his staff every month. We have made 27 changes and 6 revisions over the last 6 months. In the last month, we have gotten radio silence—nothing from Senator SCHUMER's staff. So we finally brought it to

the floor and said ''What is the problem?'' because we can't seem to figure out what the problem is. We learn today that the problem is that he doesn't want the program inventory to be public because if the American people and the Congress and the Office of Management and Budget see the programs, they might actually do things with efficiency. That seems surprising to me, but if you read the transcript, that is what he just said. The fear is that they will actually find out what the Federal Government does in the programs.

Surely that is not his objection. Surely no one in this body would say: I hope the American people and the Office of Management and Budget never find out what the Federal Government does.

Here is what this bill does. The reason we could not have a good listing—Senator SCHUMER mentioned that there is no way to do a list right now—is because there is no definition for a program. The Federal Government has struggled with that simple definition, so this bill fixes that. The reason that inventory doesn't exist gets solved with this. So literally Senator SCHUMER's objection as to why we shouldn't do this is nonsensical.

The second issue with this is the fear of OMB and Mick Mulvaney actually trying to slash programs. OMB and Mick Mulvaney have no authority to take down a program. Congress does that, and Senator SCHUMER knows that better than anyone in this body. While OMB can make recommendations, Congress has to actually vote to act on those recommendations. He can't just slash programs. He can recommend it. He can say: Here is an issue of inefficiency. It is the exact same as the Obama administration could have done, the exact same as any future administration could do, but Congress must act on that.

It seems exceptionally shortsighted to say: I don't want the American people to know what the government is doing, because of the current administration and someone I don't like.

In a few years, there will be a different administration. That may be in 7 years, or that may be in 4 years, but in a few years, there will be a different administration, but this problem will still remain. Agencies can't see what other agencies are doing, this Congress can't see what the agencies are doing, and the American people cannot see what the agencies are doing.

I would say that for the benefit of the taxpayers—not the benefit of Washington bureaucracies but for the benefit of the taxpayers—we should allow this information to go public. I hope we can continue to work with Senator SCHUMER's office, after making 27 changes that his staff recommended, to finish this document.

Yesterday, Senator SCHUMER was caught in the hallway and was asked what the problem is in the Senate, and his response to a reporter was that the Senate needs more comity. I would agree.

The House approved this unanimously. Our committee approved this unanimously. It has come to the floor and has but one person who believes that the American people should not have access to the information on the programs they pay for.

I would love to see more comity in this body and for us to work this out.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

OPIOID EPIDEMIC

Mr. COTTON. Mr. President, an opioid epidemic is sweeping the country. More than 60,000 Americans are dying from opioid overdoses every year—more than the number of Americans who died in all 20 years of the Vietnam war. What a staggering fact that is, but behind each number is a tragedy for a family who loses their loved one.

Today, I want to tell the story of the Hacala family from Rogers, AR. It is a story of love, persistence, courage, and, I hope, a story that will save other families from the tragedy they felt.

Betty and Steve Hacala are joining us in the Gallery today. I met Betty and Steve 3 weeks ago at a roundtable on the opioid epidemic in Little Rock with Attorney General Leslie Rutledge, State and local law enforcement, and the families of opioid victims. The news is full of tragic deaths from heroin, fentanyl, and prescription drugs. I met families that day whose children died from those well-known drugs, but I learned from the Hacalas about another killer: unwashed poppy seeds.

Their son, Stephen Junior, died in his sleep from an overdose 2 years ago. Stephen was only 24 years old and was a recent graduate of the University of Arkansas. He loved to play guitar, and he was very accomplished at it. He was the joy of his parents' life, and he was the joy of his sisters Christina and Lauren's lives. His sudden death came as a shock to them, but they got another shock when an autopsy determined that Stephen died of morphine intoxication. There were no drugs in his apartment—no pill bottles, no needles, nothing. What had been found was a 5-pound bag of unwashed poppy seeds. Stephen had ordered the seeds on Amazon. The Arkansas crime lab soon determined that the poppy seeds were the source of the morphine that killed Stephen.

Stephen's death resulted in part because of a dangerous gap in our Nation's drug laws. It has been well known for ages that poppies are dangerous, both addictive and toxic. That is why it is illegal to grow or own almost any part of the poppy—the straw, the pod, the latex. There is an exception, of course, for poppy seeds, which many people enjoy on bagels, muffins, cakes, and other pastries. The seed itself isn't addictive, but unwashed seeds tend to still have bits of the plant on them, which can be washed off and used to create a powerful narcotic.

To give a sense of just how deadly poppy seed tea can be, a lethal dose of morphine is about 200 milligrams, but researchers at Sam Houston State University, commissioned by the Hacalas, concluded that there were about 6,000 milligrams of morphine in that 5-pound bag of seeds that Stephen bought. That is over 30 times the lethal dose. Stephen had no way of knowing just how toxic these seeds were.

While there are plenty of legitimate uses for washed poppy seeds, there are no legitimate uses for unwashed seeds. Yet drug dealers and unscrupulous merchants are abusing the legal status of washed seeds to profit and to push unwashed seeds, which are widely available through online retailers. And when you read the user comments, you can easily find instructions for how to brew poppy seed tea and a description of its narcotic effects.

So there is no question of these unwashed seeds being used for grandma's poppy seed cake; it is plain they are being used to smuggle the banned drug into our homes, and the manufacturers and distributors should know that. And Betty and Steve made sure they did. It is hard to imagine the grief they feel. It would have been easy to despair, but they did not. They want to save other families from their fate, to be sure Stephen's death would have meaning. They researched the issue, commissioning that report from Sam Houston State and studying the market for unwashed poppy seeds. They also became advocates, meeting with community leaders and elected officials. As I said, I only learned about the danger of unwashed poppy seeds by meeting the Hacalas.

After that meeting, I put in a call to the leadership of Walmart and Amazon, which at the time both allowed unwashed poppy seeds to be sold on their websites. They listened to our case and quickly agreed to stop selling poppy seeds that are labeled as unwashed. This is important. The two behemoths of online commerce agreeing to take down those seeds was a victory and a testament to what normal citizens like Steve and Betty can accomplish.

This is more than a labeling problem. In fact, some of the most potent and deadly seeds, which we know about thanks to the work of Steve and Betty, are not labeled as unwashed and are still available for purchase. Therefore, I will work in the Senate and with the Drug Enforcement Agency to ban unwashed seeds entirely. But today I do want to take a moment to thank Amazon and Walmart for taking an important first step for our country, for our State, and for the Hacalas and families like theirs.

It is always hard to lose a loved one, and a child is the hardest loss of all. I suspect nothing can assuage that kind of grief. But because of the Hacalas's courage and determination, we can hope that a few more families will be spared it. That is an act of true love for Stephen and for their fellow Americans.

Mr. President, the office of Secretary of State has always held a place of special prominence in the President's Cabinet. The conduct of foreign policy is the highest craft of statesmanship. In the Secretary's hands rest matters of the most sensitive, delicate, and consequential nature, affairs of war and—we always hope—peace. President Kennedy put it simply when he said: ''Domestic policy can only defeat us; foreign policy can kill us.'' That is why Presidents across the ages have filled the office of Secretary of State with some of the most distinguished statesmen in our history, names such as Jefferson, Madison, Monroe, Adams, Clay, Webster, Marshall, Kissinger.

Now we will add the name of Mike Pompeo. Very soon, the Senate will confirm Mike to be our 70th Secretary of State. I strongly support his nomination, as I have made widely known in recent days. Before we vote, I want to emphasize what a truly impressive nominee he is—a man of noble character whose name future generations, I suspect, will include on the roster of those great statesmen.

Mike has succeeded at every stage of life. He graduated first in his class at West Point and then joined the 2nd Cavalry on the frontline of freedom in West Germany. After his military service, he excelled at Harvard Law School. He later started one business and served as president of another. He became a respected community leader in his adopted home of Wichita, where his fellow Kansans elected him in repeated landslides to serve them in the House of Representatives. Wichita is also where he had his biggest victory of all—winning the hand of his bride, Susan. Of course, he has served as Director of the Central Intelligence Agency for the past 15 months after being confirmed by the Senate on a bipartisan vote of 66 to 32. Since then, I have watched Mike lead the CIA, boost its morale, and put the right people in the right places, driving them to succeed and holding them accountable.

None of this surprises me because I have known Mike for as long as I have been in public life. When I was an unknown candidate for the House, he called me out of the blue to encourage me and offer support. He was one of my best friends in the House and one of my strongest supporters and smartest advisers in my Senate campaign. As Members of the House and Senate Intelligence Committees, we traveled the world together to learn, to conduct oversight, and to engage with foreign leaders.

Mike and I have collaborated on several occasions to highlight gathering threats to our Nation. In 2013 we wrote an op-ed in the Washington Post calling on our party to support a strike against Bashar al-Assad for using chemical weapons. It was a lonely place for Republicans to be, but we were right then, and we are right now. I only wish more Republicans and President Obama had heeded our call.

In 2015 we traveled to Vienna, where we discovered and revealed Iran's secret side deals with the International Atomic Energy Agency. In 2016, after a trip to Norway and Sweden, we wrote an op-ed in the Wall Street Journal drawing attention to Europe's growing challenges with mass migration and what it means for our own country.

Mike has gone from one success to another because he is a consummate professional—a man who treats everyone with respect but who doesn't pull a punch or shade a view to please his audience.

Democrats don't deny his professionalism. The senior Senator from Montana has said that he has led an ''exemplary career in public service.'' The junior Senator from Delaware said he would be a ''good advocate for the career professionals at the State Department and USAID.'' Even former Secretaries of State Hillary Clinton and Madeleine Albright have expressed their hope that he would reinvigorate the State Department, and nonpartisan experts agree that Mike Pompeo's integrity and record of accomplishments cannot be denied. As ADM James Stavridis has said, Mike is ''a solid, thoughtful and accomplished leader.'' It is why 30 national security professionals—including former NSA Director Keith Alexander, former CIA Director Michael Hayden, and former Attorney General Mike Mukasey—submitted a letter endorsing Mike's nomination.

Unfortunately, many Democratic Senators are opposing Mike's nomination, and they have given their reasons. But I have to say that these reasons don't hold up very well under scrutiny. Some say Mike is adverse to diplomacy. In fact, he simply knows that diplomacy is most effective when it is backed with a credible military threat. As Frederick the Great said, ''Diplomacy without arms is like music without instruments.''

He also knows that some situations may not be susceptible to diplomatic solutions no matter how much one might wish it so. That is a fact of life. It is not a reason to oppose Mike's nomination.

I would add that he recently demonstrated his commitment to diplomacy by meeting with Kim Jong Un to lay the groundwork for the President's upcoming summit. It is hard to think of a worse regime than North Korea, but Mike was willing to sit down with Kim to try to find a peaceful solution to the nuclear crisis on the Korean Peninsula. That should show us all, definitively, that he is committed to diplomacy.

Others say they are opposing Mike because they disagree with him on social issues. Here I would simply note that most Republicans surely disagree with Hillary Clinton's and John Kerry's views on these issues. Yet they still voted to confirm them. For that matter, Hillary Clinton opposed same-sex marriage when the Democrats voted to confirm her back in 2009. So it hardly seems fair to hold Mike Pompeo to a different standard.

Still, others oppose Mike's nomination because he refused to say that he would resign if President Trump fired Special Counsel Robert Mueller. I have to say, that is quite a stretch for a Secretary of State nomination. This isn't the Department of Justice. On the merits, I would ask: Do they think it would have been a good idea for Henry Kissinger and Jim Schlesinger to resign in 1973 or 1974? Would it help or hurt America to have our top diplomat suddenly leave the world stage at a time of domestic turmoil? And if that is to be the standard, have those Democrats asked Secretary of Defense Jim Mattis that question? I bet they haven't.

Finally, there are those who worry that he will not be a check on the President. But since when is a Cabinet member supposed to do that? Regular elections, the separation of powers, and all that entails are the checks on the executive branch under our Constitution. The President's Cabinet owes him candid advice, especially when he doesn't want to hear it, but they aren't supposed to undermine him. The State Department, in particular, is the last place for open conflict between the President and a Cabinet member. If the world doesn't believe that the Secretary has the President's confidence and conducts foreign policy on his behalf, he is of little use to the President or the country.

In fact, I would say it is the President's confidence in Mike that cinches his readiness for the job. When Mike Pompeo speaks, the world will know that the Secretary of State speaks for the President. He is well respected by the President's national security team, and he is well respected by the world.

I know Mike Pompeo will excel as our Secretary of State, and I regret some Senators will oppose him for shortsighted, political reasons, but since they all profess grave concerns about the lack of personnel at the State Department, I look forward to them all confirming Secretary Pompeo's sub-Cabinet nominees promptly once he submits them.

But even better is to put politics aside and to do the right thing for our country. Mike Pompeo has served his country with distinction. He is eminently qualified to be Secretary of State, and we need him on the job now. I call on every Senator to vote for confirmation and to send to the State Department a strong leader, a wise counselor, and a good man—Mike Pompeo.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I come to the floor today to voice my strong

opposition to Director Pompeo's nomination to be our next Secretary of State.

This position is too important. The stakes are too high to let this nominee slide by without full consideration of what it would mean for Director Pompeo to be our Nation's top diplomat—the person whose every word and action broadcasts America's values to the rest of the world.

Some of my opposition concerns Director Pompeo's harsh views on matters of war and peace, and his blatantly false accusations regarding members of the Muslim community. Some of my opposition surrounds my deep concern about Director Pompeo's ability to stand strong against President Trump's erratic and uninformed foreign policy positions.

But what I wanted to take a few minutes this afternoon to do is to express my serious concern about what Director Pompeo's ideological, extreme positions on women's rights and reproductive freedom would mean for women across the world.

Our Nation has an important role to uphold as a global champion of women's rights. We need a Secretary of State who will be a strong advocate and continue our legacy of leadership in fighting for women's health and reproductive freedom and the rights of women and girls around the world. Instead, I am afraid Director Pompeo would undo much of that legacy and undermine much of the global progress we have made.

An advocate for women doesn't repeatedly support the global gag rule, which keeps funding from clinics and programs that provide women important medical care. Director Pompeo did.

An advocate for women doesn't vote to defund the United Nations Population Fund, which provides family planning services for women around the world who live in poverty. Director Pompeo did.

When it comes to fighting for the survivors of rape and against those who would use rape as a tool of war, it is clear we should stand by survivors, fight for them, and work to make sure they have access to the medical care they need. However, Director Pompeo has said he would prevent women who have been raped from access to abortions. That is an unacceptably cruel response to women and war survivors, and it is one of the many clear indicators that Director Pompeo is an unacceptable choice to serve as Secretary of State.

The Secretary of State is always a critically important position, but it takes on even more important meaning in 2018. The President not only needs good counsel in navigating our complex global relationships, but he also desperately needs someone who can tell him when he is wrong and who can stand up to him and be a check on this President's worse impulses.

Throughout his nomination process, Director Pompeo failed to convince me that he is that person. So I will be voting no on his nomination to be Secretary of State. I urge my colleagues to do the same.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY THE PRESIDENT OF FRANCE

Mr. CARPER. Mr. President, I don't know if the Presiding Officer was able to be present in the House of Representatives earlier today when the President of France, Emmanuel Macron, spoke to us about a variety of things, including the Paris accords, the Iran deal, the long history we have between their country and our country; the fact that the American Revolution and the French Revolution were really contemporaneous. We share the birth of democracy in our country and, to an extent, in their country at roughly the same time.

Those who have studied American history know that one of the ways we won our freedom and independence from the tyranny of that British throne was with the support of the French. We have not always agreed with one another in the years since then, but mostly we have. The bond between their Nation and our Nation continues to be strong, not just between our leaders but also between our people.

We are fortunate to have a number of French tourists who come to our country. From time to time, some of us are fortunate to go to that part of the world and to visit them, to know them as human beings. The bond between our countries is a benefit for both them and for us, and, I think, for the world.

I have never come to the floor to start reading someone else's speech, but I am really tempted to read some parts of what President Emmanuel Macron said today. I speak a little bit of French. I spoke to him briefly in French before he gave his remarks. His English is a lot better than my French. I want to mention a couple of things that he said and add some comments of my own.

He talked a bit about the Paris Agreement, and he talked about climate change. These were his words, and I think they are worth repeating and reflecting on.

He said:

> I believe in building a better future for our children which requires offering them a planet that is still habitable in 25 years. Some people think that securing current industries and their jobs is more urgent than transforming our economies to meet the global challenge of climate change.

He went on to say:

> I hear these concerns, but we must find a smooth transition to a low-carbon economy. Because what is the meaning of our life, really, if we work and live destroying our planet while sacrificing the future of our children?

President Macron then said:

> What is the meaning of our life if our conscious decision is to reduce the opportunities for our children or for our grandchildren? By polluting the oceans, not mitigating carbon dioxide emissions, and destroying our biodiversity, we're killing our planet.

He went on to say:

> Let us face it. There is no planet B.

I turned to my colleague sitting next to me and I said, I am going to steal that line: There is no planet B.

He is right.

I like to say this is the only planet we have, and it is going to be the only one we ever have in our lifetime, and probably the lifetime of anybody around this planet.

Then President Macron went on to say:

> On this issue, it may happen that we have disagreements between the United States and France. It may happen. Like in all families. But that's, for me, a short-term disagreement. In the long run, we will have to face the same realities, and we're citizens of this same planet, so we will have to face it. We have to work together with business leaders and local communities. Let us work together in order to make our planet great again—

Isn't that terrific? ''Let's work together to make our planet great again''—not just to make America great again; not just to make France great again but to make our planet great again—

> and create new jobs and new opportunities. While safeguarding our earth.

He concluded this part of his speech by saying:

> And I'm sure, one day, the United States will come back and join the Paris Agreement. And I'm sure we can work together to fulfill, with you, the ambitions of the global compact on the environment.

I had the opportunity last week to speak at the University of Delaware to a couple hundred graduate students. It is an annual gathering that they have and they were nice enough to invite me to come and talk to them about leadership. One of the things I mentioned is that leaders are aspirational. We appeal to people's better angels. Leaders unite, not divide. Leaders build bridges, not walls.

I thought we were privileged today to hear that kind of leader. When I spoke to him in French, I wished him well. I wished him good luck, and I thanked him for joining us in the kind of message he brought to us.

I don't suspect he would have any reason to know this, but when people got up today and went to work in this country, 3 million people went to work in jobs that probably didn't exist 20, 30 years ago—3 million people. The jobs they went to work on are jobs where they are creating renewable energy, sustainable energy, clean energy, carbon-free energy, or they are going to work in jobs which conserve energy so we just use a whole lot less altogether. Think about that. Three million people

in this country went to work in those kinds of jobs. We are adding 75,000, 100,000 of those jobs every year.

I have always had a close relationship with the auto industry until about 6 or 7 years ago. We had a GM plant and a Chrysler plant in Delaware, with about 4,000 employees in each of them at one time. We lost them both at the bottom of the great recession. I have always, and even now, tried to work closely with the auto industry, even though they don't have the kind of presence today in Delaware they once did, but they have provided a lot of jobs. Part of the supply chain is in Delaware, Pennsylvania, and other places.

Sometimes people say we cannot have clean air, clean water, and a strong economy. I think that is a false choice. The President of France as much as said that today.

It was not a Frenchmen, but it was Einstein who said that ''in adversity lies opportunity.'' I think if we are smart about it and we look at climate change, global warming, sea level rise, and pollution of one kind or the other, there is actually great opportunity that each of those present to us. They present difficulties and challenges but also great opportunity.

I will never forget a couple of years ago what happened in a hearing in the Environment and Public Works Committee on the issue of mercury emissions from powerplants. We had, I think, four or five, maybe six witnesses. The first four or five witnesses said: We cannot reduce mercury emissions by 80 percent over the next decade. I think that is what they said. They said we cannot; it is just not possible for us to reduce mercury emissions.

Why do we want to reduce mercury? Because it is up in the air; it is carried by the winds, the rains; it ends up in the water; it ends up in fish; we eat fish. It is harmful especially for pregnant women. They give birth, in many cases, to children with brain damage. So we had this hearing, and the first four or five witnesses, all from coal-fired utilities, said: We can't do it. Eighty percent is not a reasonable target for mercury reduction.

The last witness was from a trade association whose members actually focus on developing technology to reduce harmful emissions of all kinds, including mercury emissions from powerplants. Our last witness said: I think we can not only meet that target of 80 percent reduction in 10 years, I think we can do better than that, and I think we can do it in less than 10 years. Do you know what? He was right. It turned out he was right. We ended up with a 90-percent reduction in mercury emissions, and that technology has been used in this country.

The nice thing about it is that technology—there are plenty of coal-fired plants around the world where they need to reduce mercury, and we are selling that technology all over the world. So that is really one of the opportunities the President of France was talking about—looking at adversity and finding opportunities, including climate change and other kinds of pollution; pollution of our water, you name it.

Anyway, it was just a joy to hear him speak today. I was really impressed.

We have a bunch of pages sitting in here today. I don't know if they were able to hear the speech, but if you got to hear the speech today, raise your hands. I think it had to be uplifting for young people because he was focused very much on the future. He was not just looking back but focusing very much on young people. I liked that a lot.

One of the other things he spoke about was the Iran deal. For years and years, as some of my colleagues may recall, we suspected that Iran was secretly developing nuclear weapons. We didn't know for sure. We suspected the worst. In the last administration in this country, we went to work with a new leader in Iran to see if we might be able to better ensure that they are not going to develop nuclear weapons, and we provided safeguards and early detection systems so that if they do, we will know about it. In the meantime, we placed a lot of economic sanctions on Iran, trying to get them to give up what we thought was the development of nuclear weapons. They always said, ''No, we are not doing that,'' but we didn't believe them.

At the end of the day, we looked at entering into this agreement between the United States and Iran and five other nations. Iran had to open themselves up to intrusive inspections. They had to be willing to give up some of the more modern centrifuges they had for developing highly enriched uranium. To the extent that they are willing to do that and continue to put up with intrusive inspections by the atomic energy agency, then we would gradually reduce and relax the economic sanctions.

The intrusive inspections have continued now for several years, and the agencies responsible for this say, so far, they are keeping their word. Does that mean they are always going to keep their word? Not necessarily. Does that mean we should be less resolute in watching what they are doing? No. We should be resolute and hold their feet to the fire. But to the extent that they are keeping their word, I think the idea of lifting our sanctions—along with other countries as part of these accords and joint agreement—is good, not only for Iran but also for us.

We have this agreement because we felt it was important for inspectors to have a window into that country to see what they are doing. We have that. So far, it seems to be working.

Our President now says that in a couple weeks he would like to close out of the Iran deal. If we do that, my fear is they will simply go back to a secret program to develop nuclear weapons. That will encourage the Saudis to do the same and maybe lay a precursor or put us in motion to have a nuclear arms race in that part of the world. Sunni versus Shia, Saudis versus Iran—that is not a competition that will end well.

I am not going to read everything President Macron said today about the Iran deal, but a fair amount is worth repeating. I will do that, and then add some comments of my own:

As for Iran, our objective is clear: Iran should never possess any nuclear weapons. Not now, not in 5 years, not in 10 years. Never.

''Never'' is a long time.

But this policy should never lead us to war in the Middle East. We must ensure stability, and respect sovereignty of the nations, including that one of Iran, which represents a great civilization.

Let us not replicate past mistakes in the region. Let us not be naive on one side. Let us not create new walls ourselves on the other side.

There is an existing framework—called the JCPOA—to control the nuclear activity of Iran. We signed it at the initiative of the United States. We signed it, both the United States and France. That is why we cannot say we should just get rid of it like that. But it is true to say that this agreement may not address all concerns, very important concerns. This is true. But we should not abandon it without having something substantial, more substantial, instead. That is my position. That is why France will not leave the JCPOA, because we signed it.

Your President and your country will have to take, in the current days and weeks, [its own] responsibilities regarding this issue.

What I want to do, and what we decided together with your President, is that we can work on a more comprehensive deal addressing all these concerns. That is why we have to work on this more comprehensive deal based—as discussed with President Trump yesterday—on four pillars.

And then President Macron went on to talk about those four pillars.

[No. 1] the substance of the existing agreement, especially if you decide to leave it, [No. 2] the post-2025 period, in order to be sure we will never have any nuclear activity for Iran, [No. 3] the containment of military influence of the Iranian regime in the region, and [No. 4] the monitoring of ballistic activity.

The Iranians have a penchant for firing and testing ballistic missiles. They say that it is not offensive; it is defensive. But one would wonder about that. Questioning minds way wonder.

I think these four pillars, the ones I addressed before the General Assembly of the United Nations last September, are the ones which cover the legitimate fears of the United States and our allies in the region.

I think we have to start working now on these four pillars to build this new, comprehensive [deal] and to be sure that, whatever the decision of the United States will be, we will not leave the floor to the absence of rules.

We will not leave the floor to these conflicts of power in the Middle East, we will not . . . [increase] tensions and potential war.

That is my position, and I think we can work together to build this comprehensive deal for the whole region, for our people, because I think it fairly addresses our concerns. That is my position.

I have heard several Presidents speak to joint sessions of Congress over the years; I have heard any number of leaders from other nations speak before joint meetings of Congress in the years I have been privileged to serve here. I don't know that I have seen a warmer and more enthusiastic welcome than the one we witnessed today for the President of our close ally, our friends, the French. I hope the standing ovations he repeatedly received reflect not just the emotion of the moment but reflect the belief that he may be on to something here.

One of my colleagues whom I was sitting next to during President Macron's remarks said that the President of France was delivering an elegant rebuke to our President, and he was so skillful in doing it, it was hard to tell that was what he was doing. Maybe that is true. But I think he might be on to something. He didn't just come up with it today. This is something that President Macron has been talking about for days, weeks, months—at least since last fall.

I hope our President, with whom he had a chance to spend some time, might say: Let's drill down on that. I think you might be on to something.

Meanwhile, I don't know what others have been saying about former Secretary of State Tillerson, but I thought he was an unlikely person to be Secretary of State. He had been the leader of Exxon, knew the world, and knew the world's leaders. It was unusual to have someone with that pedigree to be our Secretary of State. He exceeded expectations, at least for me. I think he was fired by the President a couple of months ago through Twitter, and that was it—no ceremony, no handshake, no thank-you for taking on a tough job and doing his best.

I would say to Rex Tillerson: Thank you for your willingness to give it a shot, for taking on a tough job in a tough administration. We may not agree with everything he said or thought, but he took on a tough job, and we are grateful for that.

The question is, Who is going to succeed him. I have asked to meet with the President's nominee. They have not been able to find time to do that, which I think is unfortunate.

If we had had the time to meet, I would have wanted to talk with him about a number of issues. One of those would be the Iran nuclear deal and how he feels about it. I would like to hear his thoughts on what President Macron suggested today as a possible alternative follow-on to the JCPOA. But I am not going to have the opportunity to do that.

I was reminded recently of something John Kennedy once said. I hope I have this right: America should never negotiate out of fear, but we should never fear negotiating. Think about that. Our country should never negotiate out of fear, but we shouldn't be afraid to negotiate.

I think President Macron may have given us an opening here, and the opening is to come up with something that could be even more effective than the JCPOA. If we are smart, the door has been opened and we will walk through it instead of walking backward.

While we prepare to vote, maybe tomorrow, on the nominee to be our next Secretary of State, one of my disappointments is not having had a chance to—not negotiate with him but to share with him what President Macron had to say, to try to get his take on that and, if he were Secretary of State, how he might pursue this opening. Unfortunately, that is not going to happen.

I notice my neighbor from across the border in Pennsylvania has risen to address the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

TAX REFORM

Mr. TOOMEY. Mr. President, it is a pleasure to follow my friend and neighbor to the south and east from the great State of Delaware.

Yesterday, the Senate Finance Committee had a hearing on tax reform. I had a chance to introduce one of the witnesses, a fellow named David Cranston from Robinson Township in Western Pennsylvania.

David is the president of Cranston Material Handling Equipment Corp. It is a third-generation small business founded in 1957 by David's grandfather. Today, David leads that company—a company he has worked at since 1983. So for 35 years he has been there. Today he leads a team of seven full-time employees and two part-time employees, truly a small family-owned business.

Cranston Material sells and installs material handling and storage equipment to manufacturing companies, including very large manufacturing companies, and their products and services help these manufacturers to store and lift products in the storage process—items like cabinets, containers, conveyors, cranes, and dock equipment.

As I know the Presiding Officer understands very well, it is small businesses like this that really make up the backbone of our economy and the backbone of our communities.

What is it that David Cranston had to share with us as a witness before our committee? He shared the story of how our tax reform from late last year is already working and helping his small business.

How is that happening? Well, in a variety of ways. The two most direct ways are, No. 1, Cranston Material is organized as a subchapter S corporation. That is a long way of saying they are not taxed at the level of the corporation itself but, rather, the income that is earned by the business flows through to the owners of the business and is then taxed on the individual returns of the owners.

How has our tax reform helped the owners of this business? We built into the Tax Code an automatic 20 percent discount on the amount of their income that is taxed. So 20 percent of their income from this business is not taxed at all. That is true for all small businesses in America. The 80 percent that is taxed is taxed at lower rates.

The total tax burden for these small businesses is much lower than it used to be. Why is that important? It is important for a lot of reasons. David Cranston told us that this is how they are able to accumulate capital. This is how his business is better able to accumulate the capital that he describes as the lifeblood of his small business. It is, in fact, capital that allows these small businesses like Cranston to take advantage of new growth opportunities. Specifically, he shared with us an example. The tax savings that he is already enjoying have helped him expand into a new product line this year—a product line that he did not carry before, couldn't afford to, but now he can. In order to launch this product line, he needed to purchase new equipment, invest in employee training, and build a new website—all of which are well underway.

He also touched on something else, another way in which our tax reform is helping his business; that is, the business optimism that he is seeing, which is encouraging his customers—primarily larger companies—to increase their own capital spending. That includes, in some cases, the purchasing of his products. As Mr. Cranston put it, the tax reform is ''spurring business investment and therefore has set the stage for economic growth for years to come.''

This increased investment activity that is helping workers and businesses and small businesses and our economy is exactly what we envisioned, exactly what we had hoped for, and exactly what we designed our tax reform to accomplish.

I have to say, the story that David Cranston told us at the Senate Finance Committee yesterday is not an isolated story. It is completely consistent with stories I have heard all across the Commonwealth of Pennsylvania from small businesses; that is, tax reform is working. It is working for them.

Businesses are, in fact, increasing their investments, exactly as we predicted they would if we lowered the after-tax cost of making those investments. For example, just last month, the March 2018 research report by Morgan Stanley—they surveyed their clients—concluded that its capital expenditure plans index—it is an index they keep track of that monitors the amount of capital being put to work in America, being spent on new equipment—according to them, in March, just last month, it reached an alltime high. Their characterization: ''Strength in our index indicates continued momentum in equipment investment through the second quarter of 2018.'' It is already happening, and they believe it is likely to continue.

Some of our friends on the other side who are very critical of our tax reform were very critical of the idea that business should benefit from this. They didn't want business to benefit from this at all. I have to point out the multiple ways they are wrong in their analysis.

First of all, when businesses—especially small businesses but all kinds of businesses—benefit from a lower tax regime, much of that benefit flows right to workers. We have seen that in a very direct fashion. In fact, over 500 known, large companies—big enough that their press releases get picked up and noticed—have given employees bonuses, pay raises, increased contributions to their pension plans, or some combination. There are now millions of American workers who work for these 500-plus companies who have directly benefited personally, in their pockets, because of the tax reform. I think this is fantastic, and it has been immediate. It is already happening.

Over the long term, I think there is an even bigger benefit that will be accruing to American workers as a result of our tax reform, and that is the medium-, long-term upward pressure on wages for the people who work for a living to earn those wages. Why do I say that? The fact is, the more capital that gets spent, the more productive workers are able to become, and the more they are able to earn.

Let me give an example that I like. If you go to any construction site when they are at the stage of doing the site development—when they are moving the dirt and maybe they are digging a hole for the foundation—at that stage of the process, you very typically will see somebody operating a backhoe. There is a guy operating a backhoe. He is digging the hole for the foundation. You will very often see somebody with a shovel. He is doing the tidy-up work around the edges. The guy with the shovel is working very hard. He is probably working up more of a sweat. He probably goes home with his muscles and his back aching more than the guy operating the backhoe. But who do you think gets paid more? It is not a close call; the guy operating the backhoe is always paid more. There is one reason for that. The reason is that he has a more advanced set of skills. Because he has those skills and because he has a major piece of equipment to operate, he is much more productive than any human being can ever be with a shovel. The more productive worker is able to earn more.

That is why I am so excited about a reform that encourages businesses to invest in capital. It is already making workers more productive, and that means they are going to earn more income. But it doesn't stop there. All of that capital expenditure, whether it is with David Cranston's company or whether it is a backhoe—when companies want to buy that, someone has to build it. There is more demand for workers to build more of this equipment that is getting put to use. Then after it is built and it is purchased by the business that can afford it now because of tax reform, somebody has to operate it. There is still more demand for workers.

So what happens in an economy when you are close to full employment—the unemployment rate is around 4 percent, which is unusually low for the American economy—and you introduce a significant new demand for workers—well, I would say there are two things that happen. You create opportunities for people who left the workforce to return, and you put upward pressure on wages because all the businesses have to compete for whatever workers are available.

So we have the direct benefit that people have seen in the form of lower withholdings and more take-home pay. We have the direct benefit that workers have seen when the companies they work for have decided to give them a raise or a bonus because they can better afford it. And we have this indirect benefit that might very well be the biggest of them all, as workers become more productive because they get to use the equipment that is put to work when their companies invest the capital that we have made more available to them.

I am very bullish, as apparently the respondents to the Morgan Stanley survey were, and I am grateful to David Cranston for telling his story about how much his small business is already benefiting from our tax reform.

Mr. President, I would like to make a completely unrelated point, and that is, I would like to mention that I had an opportunity to have a long conversation today with CIA Director Mike Pompeo, to discuss his vision for his role as Secretary of State, should he be confirmed, and his vision for America's role in the world, the leadership role we have historically played and how he sees that going forward. I will tell you, I was extremely impressed. He is a very thoughtful, very knowledgeable, wise individual. I think he will give great counsel to our President. I think he will be an outstanding diplomat. I think the fact that he comes from the intelligence community will inform his judgment in a very constructive way. I think we are all very, very fortunate that Mike Pompeo is willing to serve in this capacity. I am looking forward to his confirmation later this week.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I come to the floor to speak on the pending nomination of Mike Pompeo to be the Secretary of State. As a member of the Foreign Relations Committee, I opposed the nomination in committee, and I will oppose it on the floor.

I have said publicly that this was not an open-and-shut case for me. Frankly, I would submit that I have probably voted for more of the President's nominees who have come before the Senate than have many of my colleagues. I do believe in giving a substantial amount of deference to the President in the choices that he makes of those who are to serve him in his administration. There have been a number of applicants for Cabinet posts whom I have supported even though I have had grave misgivings about the policies that they were going to be articulating and that they were going to be carrying out.

I also believe Director Pompeo when he talks about the morale crisis at the Department of State and his sincere desire to try to remedy that and address it. There was a morale crisis at the Department of State after Secretary Tillerson waged an assault on diplomats in his trying to push out as many as he could for over a year, changing work requirements to make it harder for people to live in very difficult places around the world and continuing a hiring freeze well past the point at which it was justified. There are a lot of people who serve in this country here in Washington and abroad who need to be told that their work is valuable again, and I believe Mike Pompeo when he talks about the need to try to engage in that morale-building project.

I think there are check marks on the side of the ledger that would argue for Mike Pompeo's confirmation, but I am going to vote no because, unfortunately, I think there are far more check marks on the other side of the ledger.

I want to talk today about the issue of qualifications. I don't argue with the fact that our choices, as those in the Senate, when it comes to those who are picked for the Cabinet, shouldn't really be about policy differences. Sometimes the policy differences will be so serious that Members of the President's opposing party may have to cast a ''no'' vote. By and large, I do think that we should be evaluating candidates based on their qualifications and based on whether their views are at least between the 20-yard lines, within the mainstream conversation about the portfolio of issues that they are going to undertake to oversee.

So I want to talk today about my belief that Director Pompeo is not qualified to be our next Secretary of State. I think that is the appropriate conversation for us to be having, and I want to talk about it through the prism of three qualifications that I would argue any Secretary of State has to meet.

One is that a Secretary of State who is going to be advising the President on matters of war and peace and on questions of military operations overseas has to believe in his heart or in her heart in the Constitution—in the separation of powers between the executive and the legislative branches—when it comes to war-making.

The second is that a Secretary of State has to believe in the value of diplomacy. The Secretary of State is in

the national security cabinet in order to represent diplomatic pathways out of very complicated, vexing, and dangerous problems around the globe. You need a Secretary of State who truly believes that diplomacy can be a viable path out of very complicated problems.

Third, you need a Secretary of State who is free of prejudice or who is free of a substantial association with prejudice. This is our Nation's chief diplomat, who is going to be representing the United States all over the world, who is going to try to build bridges between our country and those countries with different cultures, different faiths, different backgrounds, and different ways of viewing the world.

On these three tests, I don't believe that Director Pompeo measures up. Let me talk about each one of them very briefly.

The first is this belief in the separation of powers. If we aren't standing up for article I powers, no one else will. The Founding Fathers were very clear that when it came to military engagement outside of the United States, it was the Congress and only the Congress that had the ability to declare war. Now, admittedly, war is a much fuzzier concept today than it was when armies were marching against each other in open fields and when neat, tidy peace treaties were wrapping up those hostilities. So I will grant my colleagues that declarations of war are a little bit harder today when the enemies never seem to go away and the definition of ''hostilities'' is a little different than it used to be.

Yet, at the hearing, I asked a series of questions of Director Pompeo, whose answers did not leave me with any confidence that he understood that there still must be some places in which only the Congress can declare hostilities. Now, I don't believe the President has the ability to take military action against the Syrian regime without having the authorization of Congress. Apparently, there are members of the President's Cabinet who believe the same thing. Media reports suggest that Secretary Mattis counseled the President to go to Congress first before attacking the Syrian regime.

So I queried Director Pompeo about this topic. I asked him whether there was any attack that had been launched against the United States from the Syrian regime. His answer was no.

I asked him whether there was any threat of imminent attack from the Syrian regime against the United States. His answer was no.

I then asked him what the authorization was that allowed the President to take this action. His answer was ''article II authority,'' which is kind of a blanket answer for anybody in an administration who doesn't have an answer.

I submit that the Obama administration occasionally relied on article II authority as well, but I tried to give Director Pompeo a way out of that overly broad answer.

I asked: Would you identify for me one limiting factor on this broad claim of article II authority. He could not. He could not articulate one definable, articulated restraint on article II military authority before the Foreign Relations Committee.

It speaks to what, I think, is a belief inside this administration, which is now being buoyed by people like Director Pompeo and John Bolton, that the President has virtually unlimited authority to begin military operations overseas. If you can attack the Syrian regime without having any authorization from Congress, then why couldn't the President launch a military attack against North Korea without going to Congress in the way that John Bolton had recommended in some of his writings before joining the administration?

If a Secretary of State is not prepared to argue that the Constitution requires that authority and cannot even articulate a single restraint on a seemingly limitless power under article II to launch attacks overseas without going to Congress, then who is making that argument?

I think a Secretary of State has to have an understanding of the limits of executive power overseas. I don't think Director Pompeo has that belief. Otherwise, he would have answered very differently the questions that he was given in his confirmation hearing.

Secondly, I believe that a baseline qualification to be the Secretary of State, to be the Nation's chief diplomat, is to believe in the fundamental power of diplomacy. Over and over, primarily when he was a Congressman, Director Pompeo showed us that he didn't think much of American diplomatic power. He opposed the JCPOA, which is, of course, a mainstream opinion within the Republican Party, but he did so because he thought that military action would involve just a few thousand sorties—American planes flying over Iran, bombing the country into submission. I think that is a pretty naive, uneducated view of how a war with Iran would go down, but it demonstrates an enthusiasm for military options ahead of diplomatic options, the kind that may be better suited for the Department of Defense than for the Department of State.

He has further cheered on this President as he has pulled out of the Paris climate accords, as he has attacked multilateral alliances that the United States has long been a part of. This is a candidate for Secretary of State who has a long history of critiquing and criticizing diplomatic paths to solving complicated problems around the world.

I want a cheerleader for diplomacy at the Department of State. We have been missing that for the last 1½ years with Secretary Tillerson. It doesn't seem we are going to remedy that. I think a qualification for Secretary of State is to be a cheerleader for diplomacy. That has not been the reputation or the record of Mike Pompeo.

Lastly, I think you need to be free of prejudice or free of substantial association with prejudice, and the reason for this qualification is self-evident. This is the member of the administration who is going to be most often overseas meeting with leaders that come from very different backgrounds, who believe different things than Americans do, who practice different religions than the majority of Americans do, who have different traditions than the majority of Americans do. So one has to have a respect, right? One has to have a love of other people who come from different faiths and different traditions if you are going to take this job.

This may be the blackest mark on Director Pompeo's record because there is a vast network all across this country that engages in a kind of Islamophobia, a hatred and bigotry toward the Muslim faith that is completely un-American but is also deeply antithetical to American national security interests because if we really want to make this country safe, then we have to be building constant active bridges to Muslim communities in the United States and to our Muslim partners around the world. When you trade in Islamophobia, a fear of Muslims, you are adding bulletin board material to recruiters who want to write a story about how America is at war with the East, how America is at war with the Islamic faith.

For much of his congressional career, Mike Pompeo was deeply intertwined with this network of anti-Muslim organizations. There is a really interesting study that I hope some of you will take a look at that details this network of organizations. They have fairly innocuous-sounding names, like the American Islamic Forum for Democracy, the Middle East Forum, the Investigative Project on Terrorism, Jihad Watch, ACT for America, the Center for Security Policy, the Society of Americans for National Existence. Those sound like things I might be for, but if you really take a look at what they do, they preach intolerance. They try to tell Americans that all Muslims are out to get them and that we are better off if we just shelter ourselves from people of the Muslim faith. That makes us less safe, and it morally weakens us as a nation. It is not coincidental that all of these groups sprang up or began to receive substantial funding after Barack Obama became President of the United States. It wasn't coincidental that as Donald Trump was going on cable news casting doubt on whether the President of the United States was really an American citizen or whether he was a secret Kenyan citizen planted in the United States that all of these organizations started to take root. They gained legitimacy because American political leaders associated themselves with their cause because they were able to lure Members of Congress like Mike Pompeo into their web.

Mike Pompeo went on these radio shows that traded in these conspiracy

theories about Muslims. He allowed for his name and his office to be associated with their causes. At one point, he actually accepted an award from a group called ACT for America, which is arguably the largest anti-Muslim group in America. They gave him an award saying that ''Representative Mike Pompeo has been a steadfast ally of ours since the day he was elected to Congress.'' This is an organization that the Anti-Defamation League and the Southern Poverty Law Center classify as a hate group. Their founder said practicing Muslims ''cannot be loyal citizens of the United States.''

Let me say that again. The founder of the group that gave Mike Pompeo an award for being a steadfast ally of their cause said that practicing Muslims cannot be loyal citizens of the United States. These anti-Muslim groups became stronger, became more deeply intertwined into the mainstream because they have allies like Mike Pompeo. It wasn't a coincidence when a Presidential candidate stood up and said: If you elect me, I will ban all Muslims from the United States, that he wasn't laughed off the debate stage. He wasn't laughed off the debate stage because this conspiracy of Islamophobia had penetrated the mainstream because of its access to people like the nominee to be Secretary of State. That is disqualifying to me. That is not about Mike Pompeo's views. It is not about my differences with the policies he is going to espouse as a Secretary of State. That speaks to his qualifications.

This is one of the most important debates we are going to have. These are exceptional times for both Republicans and Democrats, dealing with an administration that conducts itself very differently from others. When it comes down to it, I don't think that by casting a ''no'' vote I am violating the traditions of this body, which have admittedly given deference to the President in some of these choices for Cabinet positions.

I don't think Mike Pompeo really understands the importance of the separation of powers between the Congress and the Executive when it comes to war-making. I don't think this is a Secretary of State who is going to walk into the room when big decisions are being made on foreign policy and argue the diplomacy portfolio. By virtue of his longstanding association with groups that argued values antithetical to a diverse America, arguing that Muslims have no place in this country, I don't think he passes the test when it comes to a Secretary of State who doesn't have an association with prejudice. That would disqualify him from being an effective advocate for us in parts of the world that practice faiths different than ours. So, for those reasons, I am going to be voting no on Mike Pompeo's nomination. At the same time, as I said at the outset, I acknowledge there are arguments for his nomination, and I will hope my fears are unfounded. I will hope that he, if he gets confirmation from this body—which it looks like he will—is an advocate for diplomacy, that he understands the proper role of Congress, and that he represents all Americans when he serves us overseas. I certainly hope that to be the case. I hope I am wrong about my reservations, but I will still cast a ''no'' vote when his nomination comes before the Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, as with many of my colleagues here today, I stand before you to voice my deep concern over the nomination of Mike Pompeo to be our next Secretary of State.

President Trump has tweeted about Senate Democrats that it is ''hard to believe obstructionists may vote against Mike Pompeo for Secretary of State.'' Others have accused Democrats of playing politics, pointing to past Secretary of State confirmation votes that have faced less opposition in the Foreign Relations Committee and on the Senate floor, but this inference that we simply should rubberstamp Secretary of State nominees is misplaced.

Like all of my colleagues, I take my article II advice and consent responsibility very seriously, so I would like to state why I oppose Mr. Pompeo's nomination to be Secretary of State.

My opposition is not about politics. It really isn't about policy either. While I disagree vehemently with many of Mr. Pompeo's positions on issues such as human rights, climate change, and the Iran nuclear deal, these differences alone are not enough to disqualify him or any nominee, for that matter. Fundamentally, my opposition to Mr. Pompeo's nomination is about whether he can credibly fulfill his duties as our Nation's chief diplomat. Can he effectively and faithfully advocate for American diplomacy at home and abroad?

In this regard, as one of my esteemed colleagues said while introducing Mr. Pompeo before the Foreign Relations Committee, ''Your background does matter.''

So this is what concerns me about Mr. Pompeo's past. Mr. Pompeo was OK characterizing an Indian-American political opponent as ''just another 'turban topper' we don't need in Congress or any political office that deals with the U.S. Constitution, Christianity and the United States of America.'' With a viewpoint like that, how can he credibly represent the millions of Indian Americans in the United States? Equally important, how can the United States be viewed credibly by India's 1.3 billion people, the world's largest democracy and a critical American partner in promoting American values and ideals in Asia in the face of a rising and ever more aggressive China? Sadly, that display of intolerance wasn't Mr. Pompeo's only past offense.

Mr. Pompeo has suggested homosexuality is ''perversion,'' an insinuation Mr. Pompeo ever so cleverly did not address when questioned by my colleague Senator BOOKER. At the CIA, he also canceled a Pride Month event which featured a discussion on the importance of diversity and an appearance by the parents of Matthew Shepard, a young man beaten, tortured, and left to die in Wyoming on account of his sexual orientation. How can the United States stand with the LGBTQ people of Chechnya who have been the victims of violence simply because of whom they love if our Nation's top diplomat has disparaged who they are?

The offenses continue. Following the horrific Patriots Day marathon in Boston, Mr. Pompeo falsely alleged that American Muslim leaders were ''potentially complicit'' in violent acts for failing to speak out. Under my questioning at the confirmation hearings, he refused to apologize for these comments. Why was I concerned? It happened in Boston. Why was I concerned? Because the Muslim leaders in Boston had spoken out against that attack on our Nation on Patriots Day, on marathon day in Boston.

Mr. Pompeo has said he disagrees with the characterization of his comment, but there is nothing to characterize on the floor of the House of Representatives. His comments disparaging Muslim leaders are part of the public record.

How can Mr. Pompeo effectively represent America to Muslim leaders around the world who are just as interested as we are in preventing religiously motivated violence?

Mr. Pompeo now claims these statements were meant to demonstrate that tackling extremism requires those who are the most credible voices to take an unambiguous stand against violence. Well, as the Secretary of State, Mr. Pompeo would be considered our most credible diplomatic voice around the world. How could Muslim nations ever feel respected when our top diplomat has voiced such unambiguous hate?

Mr. Pompeo cowrote an article on migrants that blamed Sweden's ''radical'' immigration policy on ''political correctness.'' America must be a leader in finding pathways to protect Syrians, Afghanis, and Iraqis fleeing the death and destruction of war, in sheltering the Rohingya seeking shelter from oppression in Burma, and in addressing the countless other refugee crises roiling the globe and threatening our collective security. That is not political correctness; that is our moral responsibility.

America is a nation built by immigrants and refugees. Some 40 percent of Fortune 500 companies were founded by immigrants or the children of immigrants. Google, Tesla, Yahoo, Intel, and eBay are all companies that were founded by immigrants. Given these past statements, could Mr. Pompeo truly represent the interests of a nation made up of and built by immigrants? I do not believe that he can.

In the fight against violent extremism, there is no more divisive issue that erodes our ability to effectively cooperate with other governments than the use of torture. Mr. Pompeo has said that he won't rule out bringing back the abhorrent practice of waterboarding. A man who has said that those who carried out such actions were ''not torturers, they are patriots'' will not be able to credibly convey to governments with histories of human rights abuses that these actions are reprehensible with any semblance of moral authority.

Today, French President Emmanuel Macron addressed Congress and urged us to rejoin the international community in the commitment to combating climate change. He rightfully said that there is no planet B. But Mr. Pompeo characterized the Paris negotiations as an ''elitist effort to reduce the power of the United States economy,'' when, in fact, it was a historic effort by almost every country in the world to tackle a global challenge that will be an existential threat to every single person on the planet.

I believe in American ingenuity, American enterprise, and American leadership. I believe America must lead the world in solutions to this generational challenge. But how can we expect Mr. Pompeo to lead the Department of State in bringing greater peace, security, and prosperity to the American people through international engagement if he does not believe in U.S. leadership, if he does not believe that the United States is necessary for solving global problems, especially global warming?

Mr. Pompeo has too much to apologize for, too many statements to retract or explain, and too many controversial positions to defend.

Of most concern are Mr. Pompeo's past statements suggesting that he values military force over diplomacy even when diplomacy is a real option.

While negotiations with Iran over its nuclear program were underway, he argued that military strikes on Iran were preferable to diplomacy and that ''it is under 2,000 sorties to destroy the Iranian nuclear capacity. This is not an insurmountable task for the coalition forces.''

Just a few weeks ago, under my questioning during his confirmation hearing, he did not rule out a military solution in North Korea, which would be disastrous for the 230,000 Americans who live on the Korean Peninsula. There is no military solution to the North Korean nuclear threat. Only through sustained diplomacy and economic pressure, in close coordination with our allies, will we be able to negotiate peaceful denuclearization of North Korea.

America's top diplomat should embody the best of America's values and diplomatic traditions, not attack people's race, defend torture, promote division, ignore human rights, propose military force as the primary solution to our problems around the world, or reject solutions to the climate change that is threatening our planet.

The President can choose his own Cabinet, yes, but the Senate must advise and consent. No one wants to see the United States without a top diplomat, especially at such an important time in world affairs, but having a Secretary of State who has so thoroughly disqualified himself from credibly doing the job is no better.

Yes, I see and respect the former soldier and Member of Congress, the strong intellect who graduated first in his West Point class and edited the Harvard Law Review, but I also see and hear Mr. Pompeo's past comments and his more recent comments and positions that many who support him are conveniently choosing to disregard. But we cannot do that.

So I advise President Trump to choose a Secretary of State who embodies the best of America's values and diplomatic traditions and communicates them to the rest of the world, and I do not consent to the nomination of Mr. Pompeo, who is not the person for this important task.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, at a time when we are facing serious international challenges, from Russian meddling, to North Korean sabre-rattling, to an increasingly assertive China, it is very essential that the President have a qualified Secretary of State whom he trusts to be on the job.

Mike Pompeo unquestionably understands the international challenges we face and is more than capable of being a very effective Secretary of State. When I talk to our allies, they are anxious to see him on the job.

Unfortunately, some on the other side of the aisle are now claiming that he is not suited for the post of Secretary of State because of positions he took as a Member of Congress or his holding to traditional Christian teachings, as if a person's religion ought to have something to say about their being in public office or public service. Others have spoken about that, and I don't have a whole lot more to add on that point. I would note the irony, though, that many of the Senators who are most likely to vote against Cabinet nominees are also rumored to have Presidential ambitions. They should ask themselves if they truly want to live with the precedent they are setting.

You don't have to like the President personally or support the President's policies, but as an American, it is in all of our interests to have a fully functioning executive branch, especially when it comes to foreign policy.

If a mainstream Republican former Member of Congress is deemed unacceptable because of his beliefs, how should mainstream Republicans vote when faced with future nominees who do not share the beliefs that Republicans hold? Should Republicans just willy-nilly vote against any future nominee who does not share our political or religious views?

That said, I would like to focus on other attributes of Director Pompeo's which some have criticized but which I see as assets.

By all accounts, this nominee's tenure at the CIA has been a success. However, some Senators who supported him then are now arguing that he should not be Secretary of State because he is not diplomatic enough.

First, let's dismiss the more radical talking points about his being a warmonger. The theory is that President Trump is liable to start a war at any moment, so we need to force him, as President, to have Cabinet officials surrounding him who will counteract his impulses. We could have a hypothetical debate about whether, if the American people elect a warmonger as President, he should be allowed to appoint a warmonger Cabinet, but suffice it to say that I don't think that label applies to Mike Pompeo or Donald Trump, and I view such accusations as simply cheap partisan talking points.

On the other hand, it is fair to say that Mike Pompeo doesn't always couch his words in diplomatic niceties. He doesn't mince words about the threats that we face. And his time at the CIA has surely enhanced his strategic thinking. That is good, and that is exactly what we need at the State Department. We need less diplomatic double-talk and more clear-eyed, strategic thinking about international threats.

Real diplomacy isn't always about sweet talk. Sometimes it requires taking a firm stand, and to be effective, it should be part of a strategic vision that incorporates all the elements of statecraft. For instance, I hope we have finally discarded once and for all the diplomatic impulse to make unilateral concessions to President Putin in hopes they will be reciprocated, as exemplified by the Obama-Clinton reset. We all know it didn't really reset. If you understand Russian history and Russian political culture, you know that Russians, especially from a KGB pedigree, are likely to see this as a sign of weakness to be exploited. Diplomatic overtures to the Russians without a corresponding demonstration of strength are simply an invitation to further aggression and misbehavior.

I think we are finally arriving at a bipartisan consensus that Russia is a major geopolitical foe. Mike Pompeo has made clear that he has no doubts about the threat from Russia. He understands the need to push back and push back hard against Russia's attempt to dominate its neighbors and sow discord in the West. The threat from Russia will need a strategic plan that integrates all the elements of statecraft, including government-to-government diplomacy alongside military deterrence, intelligence and counterintelligence, cyber security, and

public diplomacy, just to name a few, and there are a lot of others.

Another area where some clear-eyed strategic thinking is even more crucial is our approach to the People's Republic of China. So I just stated: Consider China a bigger threat than Russia. I just returned from a trip to China with several colleagues at the beginning of this month. It was an eye-opener. We hear a lot about how China is embracing capitalism and becoming more and more like us. Just don't believe it. The Chinese Communist Party has modified its economic policy to allow for economic growth, but it still serves the interests of the state, not the interests of the people. It is not a free market, clearly, because they admit that their economic system is what they would call authoritative capitalism, aka mercantilism.

I visited with government officials at the national and local level, Chinese and American businesses, and American diplomats. The Chinese officials and the Chinese businesses had their talking points down almost too well. However, the impression that I took away from the visit is that the Chinese Government will do anything—legal or illegal, moral or immoral, ethical or unethical—to get ahead of the United States, and when they get ahead, to stay ahead.

China coined the term ''peaceful rise'' to describe its drive to become a great power, which is designed to sound very benign. In fact, China later changed this slogan ''peaceful rise'' to ''peaceful development'' out of concern that the word ''rise'' sounds threatening. Just to be clear, I am not threatened by Chinese economic growth.

The development of a truly peaceful, free market democracy, no matter how large, would not be threatening because democracies generally do not threaten each other, and free enterprise is mutually beneficial. The fact that so many Chinese people have been lifted out of poverty and into the middle class is a good news story for humanity. It is also good for the United States. The more Chinese people who can afford to buy our pork and soybeans, our John Deere tractors, and our advanced manufacturing, the better for Iowa and our national economy.

Free trade on a level playing field enriches both participants. Unfortunately, China is not interested in a level playing field. It seeks dominance economically, militarily, and politically. Confucius said: ''Heaven does not have two suns and the people do not have two kings.'' By the same token, the Chinese leadership does not think there is room for two great powers in the world.

China seeks the advantage of trade with the United States but not mutually beneficial free trade in the spirit of the WTO. Despite having a middle class that is bigger than ours in the United States in absolute numbers, China still claims to need special preferences extended to developing countries. China erects nontariff barriers in ways that just very barely skirt triggering WTO compliance in violation of the spirit of the level playing field the WTO seeks to create.

The Chinese military is 60 percent larger than the U.S. military, and its efforts to claim exclusive control over the South China Sea, in violation of international law by creating artificial islands, reveals an expansionist impulse. You can't hide those islands. You know it implies dominance.

However, the threat from China is not mainly military. The influential ancient Chinese military strategist Sun Tzu focused on the role of deception over combat. He famously said: ''To subdue the enemy without fighting is the acme of skill.''

Now, get this. The problem we face is, we are being treated like an enemy to be subdued without realizing it. I say all of this not to be an alarmist but to point out that China sees itself in a long-term strategic struggle with the United States. We don't need to overreact to this fact, but we do need to be aware and to apply some clear-eyed strategic thinking of our own. In that respect, Mike Pompeo's unique background seems perfectly aligned with the task ahead to develop a strategic foreign policy toward China incorporating all the elements of statecraft.

Because I have mentioned aspects of Chinese culture to illuminate the strategic thinking on the part of the People's Republic of China, I don't want to give the impression that this is a clash of civilizations. On the contrary, it is not traditional Chinese culture that is the problem; it is the unreconstructed Leninist nature of the state system that is the problem.

It is sometimes claimed that Chinese culture is not compatible with democracy, but that is hogwash. The proof to the contrary is the Republic of China on Taiwan. Taiwan is a fully functioning, prosperous democracy with the same Chinese culture and traditions.

This same democracy is what mainland China could have also if it is able to shed its one-party dictatorship, and I hope it will shed that someday.

In the meantime, we need leaders in our government who see China clearly and have the ability to think strategically. Mike Pompeo seems to me to be just that kind of a person, so I am happy to support his confirmation as Secretary of State.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VAN HOLLEN. 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. VAN HOLLEN. Thank you.

Mr. President, as the Senate considers the nomination of Mike Pompeo to be Secretary of State, we have to ask ourselves many questions. Among them are these: Will Mr. Pompeo offer the kind of independent judgment that is necessary to help restrain President Trump's worst impulses, or will he be somebody who becomes a ''yes'' man to the President of the United States? Will Mr. Pompeo continue in his past attitude, which reflects a ''shoot first, ask questions later'' approach to foreign policy? And can somebody like Mr. Pompeo, who has made very divisive, polarizing, and, in fact, hateful remarks here in the United States be able to reflect American values abroad?

I regret to conclude that I do not think Mr. Pompeo can pass these tests, and I will oppose his nomination for Secretary of State.

We all know that our country is facing formidable challenges. Armed conflicts are raging in the Middle East, Africa, and Asia, creating refugee crises across borders. Russia's campaign to undermine Western democracies continues at pace and has sharpened divisions in our society. It has bolstered populous movements at home and abroad, and we have seen terrorist networks continue to expand their reach into information space. Changes in our climate have resulted in drought, natural disaster, and famine, and as the President of France reminded a joint session of Congress today, there is no planet B.

Of the many crises we are confronting, at least one of them is entirely of President Trump's own making, and that is the potential unraveling of the Iran nuclear agreement. Let me say that I agree with all of those who believe that we should never allow Iran to have a nuclear weapon. That is exactly why it is so important to keep that agreement in place.

In just a few weeks, President Trump will make a decision. He will decide whether to waive the nuclear-related sanctions on Iran in order to keep the Iran agreement intact or whether to blow up that agreement.

As the President of France reminded us today, that agreement was forged with our European allies, Russia and China, and yet it has cut off Iran's pathways to nuclear bombs, it has imposed very tough constraints on their nuclear program, and it has subjected Iran to the most comprehensive inspection and monitoring regime ever negotiated—an inspection regime that would disappear if we backed out of that agreement, leaving us blind to exactly what the Iranians were doing with respect to their nuclear program.

Our State Department, our Defense Department, and our intelligence community have all assessed time and again that Iran is in compliance with the nuclear agreement. Secretary of Defense Mattis testified before the Senate Armed Services Committee just last fall that the Iran deal was in the national security interest of the United States. Despite that consensus even

among the President's current team, the President is talking about recklessly shredding the agreement.

As President Macron of France warned us today, such a move would be very reckless and it would be reckless to replace what we have today without having something to substitute for it.

Mr. Pompeo has weighed in on this issue over the years. It is not only that he has been a fierce opponent of the Iran deal, but he has proposed military strikes against Iran. In 2014, he said that it would take ''under 2,000 sorties to destroy the Iranian nuclear capacity. This is not an insurmountable task for the coalition forces.''

That is a dangerous illusion—the notion that there would be absolutely no response to an American attack on Iran's nuclear facilities.

Iran, of course, is right next door to Iraq, where the United States spent an ill-fated number of years, at a great loss of lives both to Americans and Iraqis and at great cost to the public. To just talk offhand about bombing Iran as the solution is not the kind of sentiment or mindset that we want in the Secretary of State for the United States of America.

The idea that he somehow had a conversion to diplomacy is difficult to believe, given the testimony that he has provided and the statements that he has made.

We also know that we are at an inflection point when it comes to the situation in North Korea. In a span of just a few months, President Trump has veered from taunting Kim Jong Un over Twitter to recently calling him ''very honorable.'' We are all rooting for diplomacy to succeed in North Korea, but we all know that the opening rounds are, in fact, the easiest legs, and that reaching a credible and lasting accord with North Korea will take significant time, hard bargaining, and the support of our partners and allies in the region.

When it comes to Russia, President Trump's affection for President Putin continues unabated. Two weeks ago, he rejected the sanctions on Russian companies found to be assisting Syria's chemical weapons program, contradicting his own U.S. Ambassador to the United Nations. Then, he earlier congratulated Putin on winning the election—an election that we all know was a sham election and that the outcome was never in doubt. It was marred by ballot stuffing and forced voting, and it was hardly what you would call a fair and free election.

When it comes to Russia, despite appeals from Republicans and Democrats in this body and in other parts of the country, the President has decided not to take action to address the threat of Russian cyber attacks in our upcoming elections. In fact, Admiral Rogers, the former head of the U.S. Cyber Command, testified just in February that President Trump had not directed him to confront Russian cyber operations at their source.

So while Mr. Pompeo has said that Russia will meddle again in our midterm elections, he has been much quieter and softer since his nomination was presented by the President with respect to President Trump's soft approach to Russia and Putin.

It is also a fact that our next Secretary of State will be responsible for managing tens of thousands of Foreign Service officers, civil servants, and locally employed staff of the State Department at our embassies and consulates overseas.

We all know that at the State Department today, we are witnessing historically low morale. In his budget, President Trump has tried to gut the State Department of its personnel and resources, issuing two budgets in a row that cut the State Department's budget by over 30 percent. You cannot conduct the diplomacy of the greatest country on Earth with two hands tied behind your back. Yet I heard nothing from Mr. Pompeo about challenging the President with respect to the deep cuts to the State Department and the resources that he will have available to him to conduct American diplomacy.

There is also the very long history of really awful remarks that Mike Pompeo has made toward various minority groups here in the United States, including Muslims and the LGBT community. You have to wonder how somebody who has made these comments is going to be able to oversee a State Department that has patriotic Americans who are Muslim Americans, who are LGBT, and who come from other minority groups. How do you lead an agency when you have made those kinds of comments about people in your workforce? And how do you represent American values overseas when you have disregarded those important values here at home?

Mr. Pompeo has said that Muslims ''abhor Christians.'' He has said that all Muslim leaders were ''potentially complicit'' in acts of terrorism. He has made other statements and has not condemned statements made by groups that were supporting him.

We have heard today from the President of France, Mr. Macron, a speech that uplifted the best of American values and French values. It was a speech that could have been given by earlier American Presidents, Republican or Democrat. He called upon America, France, the NATO allies, and other freedom-loving democracies and countries that respect the rule of law to seize the mantle of leadership.

He said:

> We can actively contribute together to building the 21st-century world order for our people, for all people. The United States and Europe have a historical role in this respect, because it is the only way to defend what we believe in, to promote our universal values, to express strongly that human rights, the rights of minorities, and shared liberty are the true answer to the disorders of the world.

He warned against using anger and fear to divide us. He said:

> We are living in a time of anger and fear because of the global threats, but these feelings did not build anything. You can play with fear and anger for a time, but they do not construct anything.

What we have heard from President Trump is exactly the stirring of anger and division that the President of France warned about in his talk today to the Congress. It is those fears that President Trump has sought to exploit rather than to rise above and to lead.

As I look at the record of Mr. Pompeo and as I listen to the statements he has made, including many repulsive statements about different groups within the United States, I have to conclude that he does not reflect the great tradition in American foreign policy of standing up for those universal values that the President of France talked about today. It is a sad moment in our history when it requires a President from France to remind us of those universal values.

France has been a leader in the world, but the United States has been the chief organizer of the post-World War II era. And our friends in France, in England, in Germany, and other allies not just in Europe but around the world have stood with us. Yet, in this administration, we see a full retreat from that kind of American leadership around the world.

I regret to conclude that, looking at Mr. Pompeo's record and statements, he is part of the retreat and not part of the leadership that we need in the 21st century. So I ask my colleagues to oppose this nomination. We can do better. We need to remind every Member of this body that the United States has always stood up for those values that are in our Declaration of Independence and in our Constitution, and we need to uphold those values in the conduct of our foreign policy.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

DARK MONEY

Mr. REED. Mr. President, I rise today to join my colleagues and to associate myself with their remarks on the critically important issue of unlimited and unaccountable money in our political system. I would like to thank my colleague from Rhode Island, Senator SHELDON WHITEHOUSE, for organizing this speaking series and for being a national leader on the issue of campaign finance reform.

While my colleagues make important points about how our rigged campaign finance system can and does serve as a channel for anonymous billionaires and special interests to exert undue influence across our political system, I would like to focus my remarks on a related issue: how our broken campaign finance system also threatens our national security.

There is no serious dispute that malign foreign actors like Russia are working to subvert our democratic processes and sow chaos in our political system. As we have seen, their strategies depend not on direct conventional attacks upon our Nation, but an

asymmetric approach that exploits the existing divisions and vulnerabilities of our open society, our democratic institutions, and our free markets.

Even though we are now aware of this, we have not taken the necessary steps to repair the situation. Indeed, our Nation retains a campaign finance system that empowers anonymous donors to funnel unlimited amounts of money to influence public policy at every level of government, and to hide their actions behind corporations.

This misguided system, which fell into place in the wake of the Supreme Court's Citizens United decision in 2010, allegedly has been exploited by foreign adversaries to advance their agendas on our soil.

How does this threat work? Prior to Citizens United, an incorporated entity did not have the same right as a flesh-and-blood human being to make contributions and expenditures in elections. This distinction makes sense. Corporations typically are permanent legal entities. They can amass outsized sums of wealth and, critically, they can shield the human beings behind them from scrutiny and liability. It is easier for those who wish to circumvent the laws protecting our democratic system to do so from behind a corporate mask. Thus, when the Supreme Court gave corporations the right to make unlimited independent expenditures in elections, it also opened the door for those who wish to hide their election spending to cover their tracks with shell companies and other entities that only exist on paper.

Our Nation historically has sought to safeguard our system of government from foreign influence. The Constitution requires the President to be a natural-born citizen. Early lobbying disclosure reforms were crafted with the threat of foreign propaganda in mind. And it remains a Federal crime for a foreign national, directly or indirectly, to spend money to influence our elections. But how can we know that authorities have the tools they need to enforce the law consistently when the law permits donors to funnel unlimited sums into elections and cover their tracks with shell corporations?

There are serious allegations that foreign actors have taken advantage of this vulnerability in our system. CNN reported in early April that Special Counsel Mueller is investigating whether Russian oligarchs used donations to think tanks, political action committees, and straw donors to cover their illegal campaign spending in the 2016 cycle.

One figure who is suspected of this type of malign influence-peddling is Alexander Torshin. Torshin is the deputy governor of the Central Bank of Russia, a close Putin ally, and was recently sanctioned by the Trump administration, along with other oligarchs and high-ranking Russian Government officials. Multiple press reports stemming from documents turned over to congressional investigations by Trump campaign associates detail how Torshin allegedly cultivated people associated with the NRA to influence the 2016 election. His ultimate goal allegedly was to arrange a meeting during the campaign between then-Candidate Trump and Putin. Press reports indicate that the FBI is currently investigating whether Torshin illegally funneled money to the NRA to assist the Trump campaign in particular.

Indeed, if Russia did use the NRA to circumvent public scrutiny of its electoral meddling, it would have been following the same pattern as the Koch network. Robert McGuire from the Center for Responsive Politics stated: ''We've seen some of the groups in the Koch network give large, six and seven figure grants to the NRA—knowing that the NRA is going to spend the money on ads in an election. . . . The Russians could easily have funneled money into the NRA coffers using a similar pathway. . . . A legal, ostensibly apolitical donation to the NRA by Russia could have freed up other restricted funds to spend on politics.''

While money is fungible, it is quite striking that the NRA spent over $30 million to assist the Trump campaign—two-and-a-half times more than what it spent in 2012 to assist Mitt Romney.

These allegations regarding links between Russia and the NRA are among the most widely reported, but there is evidence of other instances where Kremlin-linked oligarchs and their allies allegedly directed money into American elections. For example, Viktor Vekselberg, another close Putin ally and oligarch who made billions from a government-sanctioned oil deal, allegedly funneled over $250,000 through a U.S. corporation run by his cousin to spend on the 2016 election. The cousin had no prior history as a major political donor before the last election cycle. Vekselberg was also recently sanctioned by the Trump administration for his close ties to Putin and alleged role in advancing Russia's malign influence activities. Special Counsel Mueller is also reportedly investigating whether Vekselberg funneled money into the 2016 election.

These are two illustrations of how those from Putin's inner circle may have sought to influence our elections. Some of these methods may appear legal because the source of the money on paper was a person who is legally allowed to make expenditures on American elections. But experts, like Louise Shelley, director of the Terrorism, Transnational Crime and Corruption Center at George Mason University, doubt that these sums could have entered our political process without approval from the Kremlin. As she puts it: ''If you have investments in Russia, then you cannot be sure that they are secure if you go against the Kremlin's will. You can't be an enormously rich person in Russia, or even hold large holdings in Russia, without being in Putin's clutches.''

If sophisticated special interest groups in our country rely on dark money to pursue their political agendas, and the Kremlin and Kremlin-linked actors can exploit this vulnerability, then it stands to reason that other foreign actors can also manipulate our system. As long as we maintain a system wherein a political spender can be a corporation that received money from another corporation, which, in turn, received money from yet another corporation, there will be no accountability in our campaign finance system.

Even if it cannot be proved that illegal campaign spending is changing electoral outcomes, I believe it is unacceptable for our Nation to knowingly permit an open conduit for foreign meddling in our elections, which has an effect on our national security. Our system of government depends on public faith that election results reflect the will of the American people.

Going forward, I intend to speak further on this topic and work on ways to give authorities much stronger tools to prosecute the laundering of foreign money in our campaign finance system. In my view, this is not just an administrative or an election issue; this is a national security and international criminal issue, and as such, there should be investigations and prosecutions on that scale. I invite my colleagues to work with me on this important issue, and I thank my colleagues again for highlighting the need to take unaccountable money out of our politics.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. TILLIS. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, at 12 noon on Thursday, April 26, there be 4 minutes of debate, equally divided; that following the use or yielding back of that time, the Senate vote on the motion to invoke cloture on the Pompeo nomination; that if cloture is invoked, all time be considered expired and the Senate vote on confirmation without intervening action or debate. I further ask that following disposition of the Pompeo nomination, the Senate resume consideration of the Grenell nomination, with the time until 1:45 p.m. equally divided in the usual form; and that at 1:45 p.m., the Senate vote on the motion to invoke cloture on the nomination. I further ask that if cloture is invoked, all time be considered expired and the Senate vote on confirmation without intervening action or debate; and that with respect to both nominations, the motions to reconsider be considered made and laid

upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Hawaii.

DARK MONEY

Mr. SCHATZ. Mr. President, in his confirmation hearing last January, EPA Administrator Scott Pruitt said there was evidence that climate change had actually leveled off over the past two decades.

In response to Mr. Pruitt's comments, an atmospheric scientist in California named Benjamin Santer pulled together some colleagues to study satellite data from around the world. They found that Mr. Pruitt was in fact wrong, and they prepared to publish their findings in Nature Scientific Reports.

Then something pretty weird happened. A few of the scientists came forward and said that they didn't want their names listed on the research. They were worried about their ability to get a green card in the United States. Mr. Santer told the New Yorker that this was the first time in his life that he had seen his colleagues fear putting their names on research because they were worried about the negative consequences for themselves and their families.

In this country, scientists should not work in fear. They should not worry about their work being politicized. But this is where we are, and it is a moment that has been carefully planned by a small group of people who do not want the United States to act on climate. Because of these groups, the United States is home to the only major political party that opposes climate action. Because of these groups, Scott Pruitt—a man who denies that climate change is real and that it is caused by humans—is running the Federal Agency charged with dealing with climate change.

For too long, these groups have gone unchallenged, their web of deceit untouched. So I am joining with my colleagues to shine a light on these groups and how they have warped our ability to make good choices.

The Heartland Institute was started in 1984, ostensibly by a group of Libertarians. Each of their positions boils down to the idea that the government has no role—not to work on ending tobacco use or to define what health insurance should look like. But they are especially focused on keeping the government from doing anything about climate change.

The Heartland Institute denies that climate change is happening, and I disagree with them. Ninety-seven percent of all climate scientists disagree with them. But they are not playing by the average think tank rules because they are not your normal think tank. Over the years, the Heartland Institute has gained a reputation for, as one website put it, being a mouthpiece for the corporations who fund it, and their funders are very, very hard to track because Heartland keeps its donations secret. But we know that donors like the Koch brothers, ExxonMobil, and the Mercers are some of Heartland's biggest funders, and these donors just so happen to benefit from American inaction on climate.

If the government does what Heartland wants and stops protecting the environment, these people will profit. It is almost as if the Heartland Institute exists to promote the interests of its donors.

Last year, they mailed a package to hundreds of thousands of science teachers. It had pamphlets, a DVD, and a book called ''Why Scientists Disagree about Global Warming.'' The mass mailing was an effort to disseminate fossil fuel industry talking points as curriculum for science teachers. They tried to send it to every middle school, high school, and college teacher in the country.

The institute has also done everything it can to defend Mr. Pruitt, who is being investigated for a historic number of ethical lapses. Heartland wrote a letter to the White House just recently that called on the President to continue supporting Mr. Pruitt. The letter said the 10 ethical investigations into Mr. Pruitt amount to ''an orchestrated political campaign by [the President's] enemies.''

Heartland also supports a new proposed EPA rule, and—get this one—it is a new EPA rule that will restrict the use of scientific studies in EPA decision making. It will restrict the use of science in EPA decision making.

The American Association for the Advancement of Science, the American Chemical Society, the American Lung Association, and the National Council for Science and the Environment are some of the 50 science organizations and higher education institutions that have opposed the new rule. But the Heartland Institute is for this rule.

I want to be really clear about this. This isn't about someone having a conservative ideology or different view from mine about what our energy future ought to be. There is no leftwing equivalent of the institute that acts like this. Brookings, the Center for American Progress, and other left-leaning think tanks all have dissent within their ranks, and even on the right, AEI and many others have legitimate academic discussions within the context of their political philosophy. That is not what this is. These other think tanks do not ignore scientific facts because they are real think tanks. But Heartland is not a think tank in any true sense of the word. Their work is focused not on promoting analysis based on science but on trashing analysis based on science. If you don't know that, then you can easily think they are legitimate.

For example, the Heartland Institute sends a monthly newsletter about climate issues to every legislator in the country—State and Federal. It is actually a pretty good-looking product. This is a copy of it. It is actually really well done and well laid out in color, so it is not immediately obvious that this isn't even analysis. It looks like a publication from a scientific institution.

The people they quote or rely on for data are almost always from industry-supported think tanks funded by the same people. This month, they highlighted one of their own policy analysts who said that Oklahoma should not subsidize wind power because the industry can't survive without subsidies. They claim that wind energy is far less reliable and far more expensive than the power derived from fossil fuel. Who benefits from that analysis?

The fact is that wind energy is now the largest source of reliable electricity-generating capacity in the United States. In Oklahoma alone at least 30 percent of all power consumption comes from wind farms, and subsidies for fossil fuels are 40 times those for clean energy.

Also in their April newsletter, Heartland claims that natural gas has little effect on global temperatures. But recent evidence shows that methane emissions from oil and gas are vastly undercounted.

The temperature data on the back cover of this newsletter is from a climate denier at the University of Alabama whose data is considered unreliable and biased by the vast majority of the scientific community. This is not normal intellectual dissent within the scientific community. This is not normal political dissent about what our energy future should be. These people are propagating propaganda. This is not the work of a legitimate think tank. A legitimate think tank does not ignore facts and evidence. It does not publish data from a climate denier who is known in the science community for publishing work loaded with errors.

They are pushing us away from science and from doing the hard work of protecting and preserving our country's clean air and water so that a few of their donors can continue to make as much money as possible.

I was pleased with President Macron's speech today. There was so much he reminded us that we had in common, not just between America and France but between Democrats and Republicans. As he reminded us of our great history together, as he reminded us of our cultural exchange, as he reminded us of our military cooperation, he also reminded us that our great democracies believe in science. We have to believe in science. We have to believe in expertise. It is absolutely appropriate.

The Presiding Officer and I do not share the same political philosophy, but we have to share the same set of facts. That is what is so damaging about a so-called think tank like Heartland. They are not like AEI; they are not like CAP; they are not like Brookings. They are not like any other

think tank in Washington, DC, that on the level, from the standpoint of their own political philosophy and their own objectives, tries to get the right answer. That is an absolutely appropriate function for an institution to serve in this city, but what these guys do is not that.

I think it is very important that we draw a distinction between those who are relying upon facts and science, and those who are not. That is why I wanted to point out what Heartland is all about.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, it is hard to find the words that will truly reflect what an abomination the campaign finance system in America has become. The fact is, the only people who seem happy with the current state of campaign finance are billionaires who have phones full of contact information of the most powerful people in the land. Otherwise, if you are a typical American—putting in a hard day's work, supporting your family—you probably have the sense the campaign finance laws are rigged for the big and the powerful.

There was an era when running for office was as simple as putting your name out for the public, getting a few local civic groups in your corner, and bringing in a few modest donations to get your campaign off the ground. Certainly, it is not that way anymore. It has now been well chronicled how a wave of money—particularly from a few secretive powerful individuals like the Koch brothers—has flooded American politics in the last few decades. That has grown exponentially in the years since the Citizens United decision. The fact is, there has been a tidal wave of dark money buying influence across America's political system.

This isn't just about too many political ads on television and radio. Voters know that unless they unplug entirely and settle for a life out in the woods, they are going to see a lot of ads. Even beyond ads in the election season, there is this deluge of money buying the support of beltway think tanks, currying favor among lobbyists, funding so-called social welfare organizations that, frankly, aren't doing a whole lot of social welfare.

The bottom line is, for those like the Koch brothers, having deep pockets means you can buy the right to grab hold of the levers of power of the American Government. You can create a whole lot of noise that virtually drowns out the constituents back home.

I am heading home tomorrow. I have about nine townhall meetings scheduled in rural communities. They are always amazed that we are having those kinds of discussions—my colleague Senator MERKLEY does them as well—because it seems that in most of the country, everything that resembles the government we know so well, direct contact, open to all town meetings, is getting drowned out by a deluge of dollars that creates all of this noise—fake noise, to use the language of the times—that drives out real discussion about substantive issues.

I am going to talk about an example, one that has certainly generated some real concern over the last few months. If you want to see what is wrong with the election system, in my view, you don't have to look much further than some of the letters I have exchanged recently with the National Rifle Association. A few months ago, there were news reports of a potential financial relationship between a Russian oligarch close to Vladimir Putin and the NRA. The big question was whether the Russian money had been funneled into the NRA to assist the Trump campaign and influence the outcome of the election. In my view, I would say that is a question that most right-minded Americans would like to have answered.

I am the ranking member of the Senate Finance Committee, where we have jurisdiction over the Federal Tax Code. That includes the rules that pertain to political groups and tax-exempt 501(c)(4) organizations like the ones that are maintained by the NRA. I began in a series of letters that were sent to the organization, sent to the NRA, to ask questions about their foreign funding. The series of shifting answers I got in return from the NRA was enough to give you whiplash. First, when we inquired—because we had seen all of these news reports—they said: ''Nothing to see here.''

Then, as we followed up and found that a little hard to square with these public news reports, they said: ''Well . . . we get foreign funding, but just from that ONE Russian, and that's it.''

Then, we heard another version of what was going on at the NRA. They said it was a couple of dozen Russians giving money to the NRA. We continued to follow up, and they told the press and they told me: Hey, we are done with the Congress. We are not interested in answering any more questions. We are busy. We have other things to do.

That pretty much sums up the problem we have heard described on the floor this week with the campaign finance system. The information Americans have access to in campaign finance reports is just the tip of the iceberg, just the beginning of unpacking this whole question of where the money comes from in our political system. Everything under the waterline is where it gets seedy, but powerful interests have managed to figure out how to keep their handiwork hidden. The powerful use shell companies to mask the identities of who is funding campaigns and so-called independent expenditures. Even simple questions asked of these powerful groups influencing campaigns—questions like, ''Do you get money from overseas,'' the Congress and the American people cannot get a straight answer.

There are Members who want to see real changes made to bring some sunlight into this system. They see how important this is, giving the onslaught of attacks on the campaign finance laws that are coming from the Supreme Court. These attacks are one major reason why I have cosponsored legislation to create a constitutional amendment allowing Congress and the States to regulate and restore faith in our campaign finance system.

With respect to this approach, I didn't arrive at this judgment casually. Constitutional amendments, in my view, ought to be reserved for those situations when the delicate balance set up by the Founding Fathers has been upset or, in this case, jurisprudence that governs the system has also changed. That is the situation and the challenge our country faces today.

I know several Members of this body have put policy ideas forward. Many of them, in my view, have real merit. Virtually all of them, in my view, would be an improvement on this rotten abomination of a campaign finance system that exists today. Virtually every day folks back home get inundated with the smarmy political ads sponsored by groups that have these names that are just nonsense—names like the ''American Association for American Values in America.'' There is one after another. I will hear about what citizens think about this during those nine townhall meetings that I am going to be having over the next few days at home. Citizens often say it is really good to have our elected officials do this. Sometimes they would kid me that we have more cows than we have voters.

Still, we are here to have this conversation because that is what I think the American political system ought to be about—direct communication, an ongoing discussion with voters, our actually being there, having the people we have the honor to represent be able to look us in the eye, to ask questions, and say: We want to hear your thoughts because we believe that is how we can hold you accountable. The flip side of that judgment is that they don't think they can do it with the campaign finance system I have described today.

All of this is fed by these reports about lawmakers who march up to Koch Industries in order to plead for support for one proposal or another. When people read these articles, they say that it sure feels like that is what the political system has become all about. It is why I have done even more open-to-all town meetings. It is one way that I can show, at least on our watch, that that is what we are doing to counter the fact that a handful of

the most powerful, like the Koch family, can generate a disproportionally loud voice in our system of government.

The fact is the campaign finance system is broken, and it is long past the time to have fixed it. I have appreciated my colleagues' coming to the floor this week to speak out on it.

I believe, as has been written, that this series of letters that I have exchanged with the NRA, just over the last few months, is a textbook case of how broken the campaign finance system is—what happens when powerful organizations and individuals like the Koch family can have a disproportionally large voice in the political system.

I think the Senate ought to get about the business of fixing this system and ending the current way in which political campaigns are financed, which, as I said when I began my remarks, is such an abomination that it doesn't pass the smell test.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, we are at a critical moment in world history, filled with innumerable dangers and challenges. Russia is causing enormous trouble attacking the foundation of democracies around the world, interfering in our elections, developing new tools to move public opinion in countries other than its own while hiding behind robotic social commentaries. We have a nuclear-armed North Korea seeking legitimacy and recognition and critical talks about to occur over the effort to denuclearize the Korean Peninsula. Syria is not just in the grip of a civil war, it is in the grip of a fractured chaotic state as a result of the destruction of cities and towns throughout the nation, leaving them as destroyed shells of buildings with infrastructure completely decimated. We have a humanitarian crisis in Burma and Bangladesh with massive ethnic cleansing. We have four famines unfolding in Africa, with 20 million people at risk of starvation. In every place you look, there are more of these challenges related to corruption of foreign governments, to climate chaos, to civil conflict.

We need a Secretary of State who can help navigate our country in these difficult times. We need to be able to work with neighbors around the world, with allies around the world, exercising diplomacy in partnership with the strength of the United States.

I come to the floor to share that I have grave doubts that Mike Pompeo does not bring the right skills to this job. I am concerned about his choice of military action over diplomacy in a position that is supposed to bring the art of diplomacy to its full execution. I am concerned about his statements of disrespect and dishonor to the fundamental nature of our Constitution under the first article that calls for Congress to be able to open the door to the exercise of military power, not the President. I am concerned about his deep-rooted conflicts of interest that may prevent him from tackling one of the gravest threats to humans on this planet; namely, climate change. So I will be voting against his nomination and felt it only appropriate to share more of my concerns.

Let's start with the issue of diplomacy. The United States led the world in working to stop the Iranian nuclear program, working with the P5+1 group of states and with Iran to say that such a program of developing the basic elements necessary for nuclear weapons was absolutely unacceptable and bringing to bear such international pressure that Iran said: We will agree to that. We will agree to that. We will dismantle our nuclear powerplant—our plutonium plant. We will fill it with concrete. We will proceed to eliminate the stockpile of uranium enriched up to 20 percent. They agreed to cut the stockpile of low-enriched uranium by 98 percent, to profoundly reduce its gas centrifuges, shutting down two-thirds of them. On top of that, Iran agreed to the most aggressive and furthest reaching inspections that the International Atomic Energy Agency has ever had in any agreement, giving us profound insights into the operation of their nuclear program or, to put it differently, profound insights into the operation of their program and the dismantlement of their program.

Yet Director Pompeo has condemned this effort in diplomacy to stop the uranium program. He has told me it was unneeded because Iran wasn't pursuing a nuclear weapon. Well, quite interesting, but Iran was pursuing, clearly developing, all the elements necessary to have a nuclear weapon, and that represented a significant threat to the United States of America, and this agreement stops that threat in its tracks. So he condemned it, not just saying it wasn't necessary but that it showed negotiations occurred ''where we should have shown strength,'' and he said the United States ''bowed when we should have stood tall.''

What did he mean by that? He meant we didn't need an agreement in order to stop the Iranian nuclear program because we had something else. We had the sword that we could stop their nuclear program with, as he put it, ''2,000 sorties''—''2,000 sorties,'' he said, ''to destroy the Iranian nuclear capacity . . . is not an insurmountable task for [United States] coalition forces.''

Simply carrying the sword and saying we could stop other nations from doing things by bombing them is not the expertise we need in a Secretary of State.

Then there is Mr. Pompeo's attacks on the Muslim community—falsely claiming that Islamic leaders in America were silent in the face of terrorist attacks like the Boston Marathon bombing. It was not true, but he chose to attack Muslim Americans—single them out for assault. He said they were ''complicit'' and failed in the ''commitment to peace,'' not even bothering to get the facts in advance.

Then there is his longstanding opposition to equal rights for LGBTQ Americans. Much of what we try to do around the world is to lay out a vision of opportunity for all, and we should quit slamming doors in the faces of individuals around the globe who are pursuing personal happiness, opportunity, and success just as we try to end the door-slamming here at home—the discrimination, the prejudice, the hatred, the bigotry, but Mr. Pompeo engaged in calling the end of discrimination a ''shocking abuse of power'' when the Supreme Court ruled in Obergefell. Not only that, but when he went to the CIA and the mother of Matthew Shepard was scheduled to give a speech on hate crimes, he canceled, at the last second, her speech. He did not want the mother of a victim of hate crimes to talk about the crime against an LGBT American strapped to a wire fence and left to die. Shouldn't that be exactly the sort of speech that should be given about our respect for all Americans and about how much we stand against hate crimes?

So that is very disturbing, when you go into a world where respect for people of every religion, from every part of the world, is part of the negotiating power and strength of America. If you disrespect people, they do not join us in partnership to solve problems. So those are my concerns on the diplomacy side.

I am also concerned that he expressed a complete lack of interest in the constitutional power invested in article I, which is the article for Congress to declare war. He indicated that the President had unlimited power in article II, which is the ability to conduct a war after Congress has authorized it, but he seemed to completely overlook that first step of congressional authorization.

We have tried to encapsulate that congressional authorization in the War Powers Act, making it clear that the President cannot take us to war without a declaration of war or, second, without explicit authorization through something like an authorization for the use of military force or without a direct emergency involving an imminent attack on the United States, our assets, or our forces. It is the War Powers Act that embodies the heart of the Constitution about the conduct, the ability, and the limitations on the President to start a war. It is given to Congress to decide whether or not we can go to war, and Mr. Pompeo does not agree with that important, important congressional factor. I don't

know, quite frankly, how one can take the oath of office and not respect the Constitution as it delivers that power to this body, not to the President.

My third concern goes to the conflict of interest that he brought into consideration for this position. Specifically, it is the conflict of interest that he carries into his career through his very, very close association with the Koch brothers. He has been given the nickname ''the Congressman from Koch.'' The headquarters of Koch Industries is located in his district. The Koch brothers gave him the money to start his business. The Koch brothers were the biggest donors to his campaign. His entire career is carefully intertwined with the Koch brothers and advocating for whatever they wanted him to advocate for.

What we see is that the Koch brothers are advocating against our working with other nations to take on the challenge of climate chaos. Now, Mother Nature sent us a big, rude awakening this last year with three powerful hurricanes tearing apart parts of our country and with forest fires stretching from Montana across to the Pacific Ocean and down the Pacific coast, deep into California, because of the carbon pollution that is warming the seas and changing the weather patterns and drying out our forests.

We suffer that, but we see so much more. We see the moose dying. We see the lobsters migrating. We see the oysters unable to have babies. A billion of them died back about the time I took office here in the Senate because of the acidification of the ocean, coming from carbon pollution.

The whole world is coming together to try to take on this problem, but Mr. Pompeo is uninterested in this major threat facing humanity. He supports our disengaging from the international community and taking this on. He is fine letting China take the lead and producing the economic results of taking the lead instead of the United States taking the lead and being engaged in these partnerships. So, colleagues, those are my concerns.

We need an individual dedicated to the power of diplomacy, not someone who reaches first for the sword. We need an individual who respects different religions and respects the opportunity in the United States that we carry to the world as a beacon of freedom, not one who disrespects it. Third, we need an individual whose career is not tied to a single industry and whose outlook is to continue to protect that industry, even in taking this job.

So for those reasons, this nomination should be turned down.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from North Carolina.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EARTH DAY 2018

Mr. DURBIN. Mr. President, last Sunday, April 22, marked the 49th Earth Day. Given the Trump administration's reckless assault on the environment, it is frightening to think where we might be on the 50th Earth Day.

President Trump hasn't built that ''big, beautiful'' wall he promised. More than a year into his term, he still hasn't filled dozens of critical posts, from Cabinet Secretaries to ambassadors.

Looking at what hasn't been done, a reasonable person might assume that this President still hasn't learned how to make government work. That might be true in many areas, but when it comes to the environment, it is dead wrong.

From day one of his administration, President Trump has used budget cuts, executive orders, and other administrative and regulatory tools to push a concerted rollback of environmental protections. President Trump has repealed or frozen some 850 rules and regulations, many of which have a direct impact on the environment.

He has signaled his intention to withdraw the U.S. from the Paris climate accord. America is the largest emitter of carbon gases, and we are the only nation on Earth that is not part of the global effort to save the planet from climate chaos and catastrophe.

Under this President, we have ceded global leadership on the climate to other nations, especially to China. Not only is that shameful, it is bad business. Some of the best-paying jobs of the 21st century will be in renewable energy industries. How are we going to create those jobs and industries in America with a President and administration that refuse to admit even the existence of climate change?

Since Earth Day last year, the U.S. has suffered some of the deadliest and costliest disasters in our history. Last August, Hurricane Irma battered the southern U.S., especially south Florida. It was followed quickly by Hurricane Harvey, which caused an estimated $200 billion in damage and pummeled Houston. In September, Hurricane Maria caused the worst natural disaster on record in Puerto Rico. Nearly 8 months later, most of the island is still without electricity. After the hurricanes came the wildfires, including some of the worst wildfires in California's history.

Scientists warn that without significant reductions in carbon emissions, climate chaos will become more frequent, more deadly and more expensive.

What is FEMA's response? Strategic plans drawn up by FEMA during both the Obama and George W. Bush administrations acknowledged climate change as a serious threat, right up there with terrorist attacks. Under this President, FEMA has dropped any mention of climate change from its strategic plan. The reality we dare not deny has become the crisis whose name the Agency dare not utter.

Last year and again this year, President Trump has sent Congress budget plans that would gut the Department of Interior and the Environmental Protection Agency.

Scott Pruitt, the President's choice to run EPA, is an ethical nightmare, but he is a polluter's dream. He has vowed to withdraw the Clean Power Plan, a plan to cut emissions from the U.S. power sector by 32 percent from 2005 by 2030. Administrator Pruitt has signaled that he wants to roll back modest new fuel efficiency standards for cars and light-duty trucks—standards that would reduce U.S. greenhouse gas emissions significantly. The EPA under Donald Trump and Scott Pruitt has suspended the ''waters of the United States'' rule, designed to reduce pollution in 60 percent of the Nation's lakes, rivers, and streams.

EPA is not the only member of the Trump Environmental Wrecking Crew.

Today, 94 percent of the outer continental shelf in the Pacific, Atlantic, and Arctic Oceans is off limits from oil and gas exploration. The Department of the Interior is proposing to open 90 percent of the outer continental shelf for future oil and gas drilling. On top of this, this administration has weakened safety requirements that prevent oil spills.

Interior's Bureau of Land Management is also selling off thousands of federally owned parcels of land for oil and gas development. Among the national treasures up for sale are two national monuments in Utah: the Grand Staircase-Escalante and Bears Ears, home to some of the richest and most important archeological finds in our Nation.

Interior Secretary Zinke had a special flag designed for himself and ordered that it be flown whenever he was in the Department headquarters. It would be more fitting if he flew the white flag of surrender because that is what this administration is doing.

They are surrendering America's global leadership in the efforts to save this planet from climate catastrophe, and they are surrendering decades of important and lifesaving progress we have made since the first Earth Day in safeguarding our environment, preserving our natural treasures, and protecting the health and safety of the American people.

They are undoing decades of bipartisan agreements that balanced science

and the public good with the interests of States, localities, landowners, business, and conservationists.

This past weekend, on the eve of Earth Day, the New York Times published an oped entitled, ''America Before Earth Day: Smog and Disasters Spurred the Laws Trump Wants to Undo.'' The article recounts five devastating ecological disasters that shook Americans deeply in late 1960s and the 1970s and led to the creation of major environmental laws that have saved millions of lives and reversed horrendous environmental damage.

The accidents include the Cuyahoga River burning in 1969, which helped spur passage of the Clean Air Act, and the toxic poisoning of Love Canal in Niagara Falls, NY—a catalyst for the creation in 1980 of a superfund that would make oil and chemical companies pay for the pollution they cause and not walk away from the devastation and stick taxpayers with the tab.

The Trump administration is working to dismantle not just to these major environmental laws and abdicate America's role as a global leader on environmental protection, it is reneging on a bipartisan tradition on conservation and preservation of America's public lands that goes back more than a century, to a proud Republican President by the name of Teddy Roosevelt.

I ask unanimous consent that that full New York Times op-ed be printed in the RECORD at the conclusion of my remarks.

Fortunately, American businesses and scientists, State and local governments, and the American people themselves refuse to wave the white flag. They refuse to sell America's clean air and clean water and the health of the American people to the highest bidder.

They are working in boardrooms and classrooms, in laboratories, in city halls, State houses, and courthouses to solve the urgent environmental challenges of our time and preserve the bipartisan environmental progress we have made.

The Trump administration needs to listen and stop waving the white flag of surrender. Our world and the health of our children and grandchildren is worth fighting for.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, April 21, 2018]

AMERICA BEFORE EARTH DAY: SMOG AND DISASTERS SPURRED THE LAWS TRUMP WANTS TO UNDO

(By Livia Albeck-Ripka and Kendra Pierre-Louis)

A huge oil spill. A river catching fire. Lakes so polluted they were too dangerous for fishing or swimming. Air so thick with smog it was impossible to see the horizon.

That was the environmental state of the nation 50 years ago. But pollution and disasters prompted action. On April 22, 1970, millions of people throughout the country demonstrated on the inaugural Earth Day, calling for air, water and land in the country to be cleaned up and protected. And that year, in a bipartisan effort, the Environmental Protection Agency was created and key legislation—the Clean Air Act, the Clean Water Act and the Endangered Species Act—came into force.

Now, the Trump administration has made eliminating federal regulations a priority, and an increasing number of environmental rules are under threat.

Here's a look at five environmental disasters that shifted the public conversation and prompted, directly or indirectly, lawmakers to act.

THE SANTA BARBARA OIL SPILL

On January 28, 1969, an oil rig exploded off the coast of Santa Barbara, Calif., spewing three million gallons of crude oil into the ocean in one of the worst environmental disasters in the history of the United States.

At the time, there were no federal measures in place to regulate offshore drilling.

After the spill local officials pleaded with the federal government to end oil exploration off the California coast. But it was not until 1978 that the first federal regulations were passed.

Just over 40 years after the Santa Barbara rig blowout, on April 20, 2010, an even worse spill, known as the Deepwater Horizon disaster, resulted in the tightening of federal rules.

But this past January, the Trump administration said it would reopen vast areas of United States coastal waters to new offshore oil and gas drilling projects. Shortly thereafter, the administration began the process of rolling back safety regulations on existing rigs.

Ryan Zinke, the interior secretary, has also proposed revising a five-year plan for offshore oil and gas leasing, which conservationists say would harm marine life and could also pose a danger to humans.

THE CUYAHOGA RIVER FIRE

The Cuyahoga River in Cleveland in 1952. The river burned at least 13 times before the 1969 fire that was covered by Time magazine. On June 22, 1969, the Cuyahoga River near Cleveland caught fire—both literally and in the public imagination. A few months later the conflagration became a big story in Time magazine, which described the Cuyahoga as a river that ''oozes rather than flows.''

The story prompted outrage throughout the country, where many rivers, after decades of industrial pollution, were too dangerous for swimming, fishing or drinking. (The main photo in Time was actually of the Cuyahoga when it caught fire 17 years earlier, in 1952. The river had burned at least 13 times.)

The fire, fueled by an oil slick on river's surface, and resulting media coverage galvanized the outrage into broader public action.

It culminated in the passage of the 1972 Clean Water Act. That measure, like the Clean Air Act, was an extension of earlier laws. But the piecemeal nature of the earlier rules had resulted in a lack of oversight and regulatory control. The 1972 act coordinated the rules and gave regulatory authority to the nascent E.P.A.

Since the law's creation, waterways across the United States are markedly cleaner, though half still fall short of national goals. Recent decisions, though, could lead to backsliding.

The E.P.A. has suspended the Obama-era Waters of the United States rules, which sought to clarify which waterways are considered part of the national water system. Smaller bodies of water, like intermittent streams and wetlands, have been in a legal gray area since the 1972 act despite having significant impact on water quality.

Scott Pruitt, the E.P.A. administrator, also removed Clean Water Act decision-making authority from regional offices, leaving him the sole arbiter.

THE LOVE CANAL DISASTER

In the late 1970s, residents of Love Canal in Niagara Falls, N.Y., began complaining of odd smells, rashes and liquid leaching into the basements of their homes. Decades earlier, the Hooker Chemical Company had dumped toxic waste in the canal and buried it. Outraged, the residents of Love Canal organized and were eventually relocated from their town.

While the residents of Love Canal were not the first or only community to confront the toxic legacy of industry, their plight caught the attention of national media, and ultimately, helped prompt the creation of the Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as the Superfund.

Passed by Congress in 1980, the law meant that chemical and petroleum companies would be taxed to create a cleanup trust fund.

Over time, however, the trust fund has dwindled, with taxpayers increasingly footing cleanup bills. In the E.P.A.'s 2019 budget, staff cuts have been made, while some people nominated for key positions have direct links to polluting industries. In December, the administration also rejected a proposed rule that mining companies prove they have the money to clean up pollution left behind at their sites.

THE SMOG-FILLED SKIES

Pittsburghers used to say that if you wore a white shirt to work in the morning, that the shirt would be as gray as the air by lunchtime. In cities and towns throughout the country, Americans didn't just breathe the air, they could all but touch it. In the nation's National Parks, air pollution clouded the views.

This was the United States before the 1970s Clean Air Act.

There was no single smog event that led to the act. In the years leading up to its passage, though, ''You had growing awareness in the scientific community about problems like smog,'' said Eric Schaeffer, the executive director of the Environmental Integrity Project. ''You had the beginnings of an understanding that it was bigger than any state agency could manage.''

The act was an overhaul and extension of the 1963 Clean Air Act. It enabled the newly created E.P.A. to set standards related to six key pollutants that were known to harm human health.

In recent months the Trump administration has signaled its desire to undo some of parts of the act. Mr. Pruitt, the E.P.A. administrator, has said that Obama-era car emissions standards designed to reduce greenhouse gasses and other pollutants linked to respiratory diseases and heart disease are set ''too high.''

THE NEAR-EXTINCTION OF THE GRAY WOLF

In the early 1970s, the gray wolf was teetering on the edge of extinction in the lower 48 states. Throughout the earlier part of the century, the wolf was largely considered a trophy and was hunted and skinned for its fur to within an inch of the species' life.

In its company were dozens of other species at risk of dying out, with few laws to protect them.

In 1973, shortly after the first Earth Day, with the American public increasingly aware of the importance of biodiversity, the Endangered Species Act was signed into law by President Richard M. Nixon. The act was designed to prohibit the killing or harassing of protected species or damaging the habitats necessary for their survival.

Shortly thereafter, the gray wolf was listed as ''endangered'' under the act and—alongside the bald eagle, American alligator

and dozens of other species—began to slowly recover in some areas. Scientists estimate that the act has directly prevented the extinction of more than 200 species.

The act has long been a point of contention between industry and conservationists, and has come under criticism from previous administrations. But under the Trump administration, at least 63 separate legislative efforts to weaken the act have been undertaken since January 2017, according to the Centre for Biological Diversity.

Among them were the delisting of various species that conservationists argue are not fully recovered, like grizzly bears in Yellowstone National Park. The attempts to water down the act are ''among the worst'' by any administration, said Bruce Stein, the chief scientist of the National Wildlife Federation.

## TRIBUTE TO DWAIN ''DOC'' PRESTON

Mr. DURBIN. Mr. President, in honor of April being National Poetry Month, I want to take a few moments to recognize an extraordinary teacher, poet, and Quincy, IL, legend, Dwain ''Doc'' Preston.

In the winter of 1936, Doc was born on a farm near Barry, IL. The son of a World War II tank crewman and a tough as nails mother who grew up in Oklahoma surviving the Dust Bowl, Doc attended four different one-room schoolhouses, including Berrian Elementary School in Quincy. After graduating from Liberty High School, he enrolled at Western Illinois University. That was the decision that he said ''took me out of the cornfield.''

Doc joined the Air Force, attending Chinese language school, spending 6 hours a day for 8 months, studying at Yale University. To this day, much of his work in the Air Force remains classified. After his service, Doc returned to Quincy and was introduced to Regina Higgins by a friend Jay Lenne at Park Bowl, a bowling alley at the corner of 12th and Harrison. They fell in love, got married, and started their family. They had the first of four daughters in 1963, the second in 1964, the third in 1965, and lastly, the fourth, in—you guessed it—1966.

Doc followed in his uncle's footsteps—a teacher of 55 years—and accepted a position at Quincy Junior High School after two of his former teachers vouched for him. Six years later, Doc used his G.I. bill to work toward his doctorate at the University of Illinois in Champaign. While working on his dissertation, he taught at Western Illinois University and officially became ''Doc'' Preston. He then did the unexpected and tried his hand at selling insurance, but Doc had teaching in his blood and returned to the classroom after just 1 year. For the next 26 years, Doc Preston could be found in the classroom, teaching writing, speech, and English at Quincy Notre Dame, where each of his daughters would attend high school. He also supervised the QND student council, teaching leadership skills and important life lessons that aren't normally found in high school textbooks. Even after his official retirement, Doc continued teaching creative writing to seniors and others.

Throughout the years, Doc has stayed in touch with many of his students. They will send him notes using words like icon, terrific, great, awesome, amazing, special—to describe him as a teacher or writer, but mostly as a man. When hearing these compliments, he responds in his humble simple way: ''That's always fun.'' They just don't make them like Doc Preston anymore.

Doc and his wife, Regina, spent 44 years, or as Doc put it, ''over 16,000 days'' together before Regina passed away in 2006, just 4 weeks following Doc's retirement. In his beautiful poem titled, To Regina, he writes:

For over 16,000 days
You were part of me.
Now only memories are left
Of days that used to be.

But Ah! What memories they are!
The Buoy of my very life,
Which would have been of little worth
Had you not been my wife.

His words are haunting as he takes us on an emotional ride that both breaks the heart and allows us to celebrate the blessings that are memories.

Doc Preston didn't write to publish or make money. He wrote because he loved it and his audience, consisting largely of his family, loved it. When each of his four daughters were married, Doc wrote them a sonnet. When each of his 11 grandchildren turned 13, he wrote what could be called a ''goodbye to their youth'' poem. When they were younger, Doc wrote each of them a book. All told, Doc estimates he has written about 150 books. On his 80th birthday, Doc's children compiled and presented him with a book of his poem's that he dedicated to Regina.

Despite being a brilliant writer and teacher, Doc's proudest accomplishment is his family. In an interview last year, he said, ''One of the things that is joyful about being a parent is watching them grow up and succeed.'' His children certainly did. Two even went into the family business and became teachers. Doc loved parenting, but he once said, ''Grandparenting is better.'' I couldn't agree more.

When looking for heaven, many look toward the sky—not Doc Preston. Doc and Regina, looked along the river bluffs of the Mississippi River and built heaven in Quincy, IL. Whether it was with Doc's wife, Regina, four daughters—Carolyn, Cheri, Debbie, Teresa—11 grandchildren, or countless student, his life, love, and poetry have touched so many lives, including my own.

I want to thank Doc Preston for his dedication to teaching and his generosity to the wonderful people of Quincy. They call Quincy ''Gem City.'' Well, there is no gem shining brighter than Dwain ''Doc'' Preston.

Thank you, Doc, for sharing your gift with us all.

I would like to share the final lines of Doc's poem, Southern Memories.

Oh, yes, I'll savor snapshots,
To be sure,
But what I'll treasure most
Are all the memories I made with you.

Doc's right. I would like to tell him that what will be treasured most by those who know Doc, ''Are all the memories [we] made with you.''

## CENTRAL AFRICAN REPUBLIC

Mr. MENENDEZ. Mr. President, I wish to call attention to what has been called the world's most neglected humanitarian crisis and call upon the administration to play an active leadership role in helping bring a sustainable peace to the Central African Republic, CAR. Diplomatic attention, especially from the United States, has waned over the past 2 years. If we fail to commit diplomatic attention to CAR, we risk increasing threats to regional stability, U.S. investments, and, most tragically, the lives and livelihoods of millions of Central Africans.

CAR has long been beset by political and social upheaval. Since independence in 1960, the country has endured coups, military mutinies, rebellions, and incursions by the infamous Lord's Resistance Army. The most recent civil war accelerated in 2013 after rebels opposed to the government of Francois Bozize took over the capitol. Their campaign to seize the capitol and the response by resulting self-defense militias were characterized by widespread violence against civilians. France, the European Union, and the African Union all deployed troops to prevent further bloodshed, and in 2014, the U.N. deployed a peacekeeping mission mandated to protect civilians and prevent further intercommunal fighting. The State Department's Atrocities Prevention Board identified CAR as a country at risk, and the United States took action accordingly, working on the ground to support interventions to prevent mass atrocities.

These vigorous diplomatic actions ushered in a period of relative calm. In the wake of Pope Benedict's visit in 2015 and peaceful elections in 2015–2016, the situation on the ground appeared to stabilize. President Faustin-Archange Touadera was elected in what was arguably the most competitive contest of any leader in the central Africa region. Donors pledged $2.2 billion to support stabilization and postconflict reconstruction in late 2016.

However, in 2017, security in the country began to precipitously decline. Militia and criminal gangs in the north and eastern parts of the country began fighting each other in a quest for control over territory and resources, threatening the fragile peace. Entire villages have been destroyed, civilians targeted and killed. While the government and 13 armed groups signed a notional peace deal in June 2017—the fifth disarmament agreement signed by armed groups in 4 years—renewed fighting quickly followed.

Some armed groups have targeted United Nations peacekeepers, a potential war crime under international law. On April 3, members of ''anti-Balaka'' militias attacked a United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, MINUSCA, base, killing 1 peacekeeper and injuring 11 others. On April 8, MINUSCA troops came under fire as they were conducting a joint operation with CAR state security forces aimed at disarming and detaining the leaders of what they referred to as criminal groups in Bangui's last remaining Muslim enclave, the PK5 neighborhood. Two days later, armed groups levied a sustained attack against a MINUSCA base in downtown Bangui, resulting in the death of one peacekeeper.

The resurgence of militia violence has made CAR one of the most dangerous countries in the world for humanitarian workers, leading aid agencies to reconsider their operations there. Six aid workers were killed in February this year alone, and attacks and threats continue. In November 2017, Doctors Without Borders shut down a major operation after a string of attacks and threats.

Some may ask why the United States should care about what happens in a small landlocked country in Africa with a population of just under 5 million. I give you three reasons.

First, as members of the community of nations, we have a moral obligation to take action when we see mass violence and human suffering. United Nations Under-Secretary-General for Humanitarian Affairs Stephen O'Brien warned in August 2017 that the renewed clashes were early warning signs of a possible move towards genocide. While thankfully that scenario has not unfolded, violence continues to play out along ethnic and sectarian lines, causing social profound cleavages. Armed groups of various stripes carry out atrocities, including widespread sexual violence, against innocent civilians. In 2014, largely Christian anti-Balaka militia groups, waged a systematic campaign in 2014 forcing most of CAR's Muslim citizens to flee their homes. Many of those Muslim communities remain largely confined to the rebel stronghold of the northeast and small enclaves in the capitol and other population centers. We must do our part to bring this kind of horrific violence to an end. History offers brutal reminders of what happens when the international community fails to intervene on behalf of persecuted minorities.

We must continue to help those in need. The number of internally displaced persons in CAR has increased by more than 70 percent over the past year. Of an estimated total population of 4 million, approximately 681,000 Central Africans are internally displaced—the highest number reported since the height of the conflict in early 2014—while an estimated 568,000 more are sheltering as refugees in neighboring countries. Over 87,000 children are at risk of acute malnutrition. Yet the U.N. has received only 5 percent of the $515.6 million it has requested for its 2018 humanitarian response plan. The World Food Program was forced to cut rations in half for the most vulnerable families nearly a year ago, due to lack of funding. Earlier this year, U.N. Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator Ursula Mueller stated unequivocally: ''If we do not receive funding, people will die.''

Second, lack of stability in CAR has implications for broader regional instability. CAR is located in a volatile and impoverished region with a long history of development, governance, and human rights problems. Violence in CAR only adds to the enormous human suffering in neighboring countries such as Democratic Republic of Congo and South Sudan. Other countries bordering CAR continue to struggle against the Boko Haram insurgency. We know that instability throughout the world can directly impact U.S. interests. It is in our interests to promote stability and peace throughout the region.

Third, the U.S. has invested $1 billion in CAR in the past 2 years; promoting lasting stability and governance is the surest way for our investments to yield positive results. Our Permanent Representative to the U.N., Ambassador Nikki Haley, has spent considerable time focusing on cutting peacekeeping costs, and the administration has signaled its desire to limit funding for U.N. peacekeeping missions. However, it has spent precious little time investing in diplomatic strategies and initiatives to end the conflicts that have necessitated these missions and would support their success. Doing so would be more cost effective, as well as having a positive impact on those impacted by conflict.

The situation is dire. In the absence of action by the administration, along with our partners in the international community, the risk of the CAR fully collapsing is high, but while it might be difficult to turn back the increasing tide of violence facing the country, it is not impossible. I urge the administration to take the following steps: fully staff senior leadership positions at the Department of State and USAID. It is well past time for this administration to put our foreign policy house in order to best advance American interests. The administration has not nominated an ambassador to CAR, leaving the post vacant for over 6 months. It also has not nominated an Assistant Secretary of State for Africa to coordinate policy and engage with counterparts in the region and among our partners in Europe and elsewhere. There is no Assistant Administrator for Africa at USAID at a time of unprecedented humanitarian needs on the continent. We need high-ranking diplomats and aid officials to bring fresh ideas and energy into policy discussions in Washington and galvanize action in capitols of other countries. Quickly filling vacancies is an easily accomplished task that would have a significant impact; formulate an updated strategy for CAR. Fully staffed or not, given the situation on the ground, the administration must act. Three years ago, the Obama administration put forward such a strategy in response to legislation. This administration should follow up and respond to changing conditions on the ground by putting in place a multiyear, comprehensive strategy to support greater peace and stability in CAR as a foundation for future development and prosperity. Such a plan should include humanitarian and development goals in addition to plans for diplomatic actions and engagement; work with other donors and the United Nations to incentivize greater progress on disarmament, demobilization and reintegration, and security sector reform. The 2015 ''Bangui Forum'' called for all combatants to give up their weapons prior to national elections in 2016. This process was never undertaken. A renewed effort a year ago has yet to yield significant results. We must continue support for rule of law and accountability. Financial and diplomatic support for CAR's nascent special criminal court is also critical to fulfilling this process.

Finally, we must signal our intention to follow through with commitments to the people of CAR and to our international partners by sending a high-level delegation from Washington to CAR and inviting President Touadera to the United States for an official visit.

None of the policy recommendations I am suggesting are particularly difficult. All it takes is time, attention, and, to be frank, an interest in being involved to devise a strategy and determine how to adequately fund it. I urge the administration not to let a tragedy occur due to indifference.

## RECOGNIZING CLEAR SPRINGS FOODS, INC.

Mr. RISCH. Mr. President, today, along with my colleague Senator MIKE CRAPO, I wish to recognize fellow Idahoan Larry Cope who retired from Clear Springs Foods, Inc., in Buhl, ID, in March of this year. Larry, who is president and CEO of the company, has had an exemplary career as a visionary and selfless leader at Clear Springs for the past 45 years. He deserves to retire.

Idaho is very proud to be home to the headquarters of Clear Springs Foods, the world's largest producer of aquacultured rainbow trout, supplying restaurants and major supermarkets throughout the United States and propelling fish farming well beyond our borders. Larry would tell us it has taken a great team to lead this originally privately owned small business into the immensely successful 100-percent employee-owned operation it is

today, but we know it was with Larry's cutting-edge leadership and distinguished commitment to the business that it has grown into such a global industry.

In 1973, with just $10,000—money critical to the company at the time—and a true spirit of recognizing the value of good workers, Larry created an employee retirement plan and stayed committed to the plan. Today the retirement fund is more than $60 million. Larry believes in taking care of his workers, many of whom go in every day to do difficult, routine work. Larry exhibits the type of leader every industry needs: focused while looking ahead, kind, fair, and employee friendly. No one has to tell him to serve in this manner; it is who he is, and he does it with a spring in his step.

MIKE and I have known Larry since the days Clear Springs had an annual production of 450,000 pounds of trout. Now, the company produces 24 million pounds every year, making it an exemplary industry leader.

Larry has been immensely valuable to the aquaculture industry worldwide. He has been in many leadership roles in business associations and boards, and he has won many awards. To name a few of his roles in the food industry and beyond, Larry has served as a board member and chairman of the National Fisheries Institute, the American Frozen Food Institute, the Idaho Association of Commerce & Industry, as well as St. Luke's Health System. In addition, he has served as a trustee at the College of Idaho, his alma mater.

Another important character quality Larry exhibits is believing in serving his community. He is a pillar of support and encouragement to the region, having helped bring St. Luke's Hospital into the Magic Valley, as well as supporting the growth of the region's food production industry. As food production grows, so does the number of jobs and residual businesses. This is good growth for Idaho.

MIKE and I are proud to recognize Larry Cope, our good friend and a strong, courageous, and dedicated leader in Idaho. As I said a minute ago, Larry has done so much in business and community service for more than 45 years that he has earned his retirement.

Larry, kick up your feet and go fishing.

Thank you.

## ADDITIONAL STATEMENTS

### TRIBUTE TO CAROLYN LUMSDEN

• Mr. BLUMENTHAL. Mr. President, today I wish to recognize Carolyn Lumsden, who received the Sigma Delta Chi Award from the Society of Professional Journalists.

Ms. Lumsden, an opinion editor for the Hartford Courant, wrote an editorial series last year which revealed the breadth of the crumbling concrete foundations issue in northeastern Connecticut. Her work, ''Crumbling Foundations,'' gave a thorough look at this tragic situation where hundreds, potentially tens of thousands, of homes have foundations that need to be replaced because the concrete contains an iron sulfide that ultimately weakens the structure. Through her months of research, Ms. Lumsden spoke with homeowners, engineers, geologists, data analysts, bankers, and lawyers to understand the complete scope of this problem.

''Crumbling Foundations'' initiated much-needed, positive progress for the people of Connecticut, thanks in part to the data and personal testimonies Ms. Lumsden gathered. In the months following the series' publishing, the Internal Revenue Service approved tax breaks for homeowners, and the State of Connecticut approved $100 million in bonding over 5 years to help the homeowners suffering from crumbling foundations. I am working, along with my congressional delegation colleagues, on additional Federal relief to homeowners and funding for research into pyrrhotite.

Ms. Lumsden's dedication to using her position as a journalist to assist the people of Connecticut is deeply admirable. For over 200 years, the American press has uncovered and reported vital information to the public about our communities. Thanks to ''Crumbling Foundations,'' our State is now acutely aware of this significant tragedy and is working actively to find a solution.

I applaud her tireless efforts to uncover the truth of this problem and hope my colleagues will join me in congratulating Ms. Lumsden on her well-earned honor.•

### TRIBUTE TO WAYNE HAVER

• Mr. BOOZMAN. Mr. President, today I wish to recognize and congratulate Mr. Wayne Haver, principal of Southside High School in Fort Smith, AR. Mr. Haver will retire at the end of this school year after 48 years of service to Fort Smith Public Schools.

Having started as a teacher at Southside in 1970, Mr. Haver has had a long, distinguished career as an educator and administrator. He became an assistant principal at the school in 1974 and, in 1982 was named principal and has served in that role ever since.

Enrollment at Southside now stands at over 1,500 students, and the community has witnessed how much the school has changed and grown under Mr. Haver's guidance. Thousands of students have graduated from the school during his tenure.

As principal for more than 35 years, some of those graduates have returned as teachers and now work alongside an educator who served as a mentor both while they were students and now as instructors. Southside has also been recognized three times as a School of Excellence by the U.S. Department of Education, a testament to Mr. Haver's leadership.

In 2013, Mr. Haver was named Administrator of the Year by the National Association of Education Office Professionals. At the time, he was only the second Arkansas educator to have received the award.

Upon his retirement, Principal Haver will be leaving an incredible legacy of education and service to his community. He is only the second principal Southside High School has ever had in its 55-year history. He has spent his career devoted to education, seldom missing a day of work. He is admired by his staff, who say he is an incredible man to work for and will be greatly missed.

His musical ability has been cherished by students and faculty alike and will be remembered fondly after he retires. He learned to play the school's fight song on his harmonica, and his performances became a fixture at pep rallies and other school events.

I congratulate Wayne Haver on a remarkable career and admire his dedication to the students and families of Fort Smith and Southside High School. As a native of Fort Smith, I am incredibly proud of everything he has accomplished. His dedication and professionalism have certainly helped to make the community a better place to live. I wish him all the best in retirement and thank him for his countless contributions to Southside High School.•

### RECOGNIZING ANFINSON FARM STORE

• Mrs. ERNST. Mr. President, I wish to recognize Anfinson Farm Store, a small business in Cushing, IA, that has been a staple of the community for 100 years.

Like many businesses, Anfinson Farm Store will be receiving significant tax relief from the Tax Cuts and Jobs Act, and they are using this as an opportunity to invest in their most important resource: their employees. After the legislation was signed into law, owner John Anfinson, who has owned the business for 46 years, announced that all seven of their full-time employees would receive $1,000 bonuses and 5-percent pay increases. He was also able to purchase nearly $400,000 in new equipment with 1-year expensing.

Small businesses make up 97 percent of employers in Iowa, and prior to the passage of tax reform, they were taxed at marginal rates that often reached as high as 45 percent. The Tax Cuts and Jobs Act is a monumental achievement for small businesses, reducing their tax burden so that they can grow and invest in their employees.

As we celebrate National Small Business Week, I would like to recognize Anfinson Farm Store and all of Iowa's small businesses, who are the backbone of our economy. I would also like to express my gratitude to the President

and my colleagues in Congress for helping to reduce the tax burden on our small businesses.●

## RECOGNIZING WEBCO INDUSTRIES

● Mr. INHOFE. Mr. President, small businesses play an integral role in Oklahoma's economy. They consist of over 52 percent of all employees in Oklahoma. Additionally, within Oklahoma, over 84 percent of all exports come from small businesses. Today I have the distinct honor of recognizing one of the many successful small businesses in my home State of Oklahoma for National Small Business Week. While there are many businesses worthy of recognition, I am particularly proud of Webco Industries.

Webco Industries, based in Sand Springs, OK, has proven themselves as a leader in the metal tubing industry. Their philosophy of ''continuously building'' is a testament to how they have grown since 1969 into the 1,000-employee company they are today. With seven manufacturing plants and two distribution facilities, they provide the widest variety of tubing in North America. With engineering, metallurgical, production, and QA staff averaging 20 years of experience, Webco delivers exceptional tubing products and service to their customers.

I want to congratulate and thank Webco founder, Bill Weber, and CEO Dana Weber of Webco for their outstanding and devoted work in creating a shining business model. The Weber's dedication to making these products in America should not only make Oklahomans proud, but all Americans. Webco's success should be an example for all businesses, and I am proud to recognize their hard work and dedication.●

## RECOGNIZING CANAL COFFEE

● Mr. KENNEDY. Mr. President, it is my honor to recognize Canal Coffee from Kinder, LA, as the Small Business of the Day for the 2018 National Small Business Week. Small businesses like minority and veteran-owned Canal Coffee exemplify the pursuit of the American dream.

Canal Coffee is owned and operated by Priscilla Mayfield and Rodrick James. James, affectionately known back home as Coffee Man, was born in Bossier City, LA. After serving in the U.S. Army for 8 years, James attended the Culinary School of America and worked as the executive chef at Coushatta Casino Resort. In the fall of 2016, the duo opened the original Canal Coffee on the corner of 4th Avenue and 9th Street in Kinder, LA. Since then, they have opened two more locations in Oberlin and Shreveport, with a third location coming soon. The goal is to open a total of 25 Canal Coffee shops in the next 5 years. James says his recipe for success is to ''stay in front of God and work hard.''

Canal Coffee should not only be admired for their business success, but also commended for giving back to the local community. As a part of their Community Strong campaign, Canal Coffee donates a portion of their high school football game concession sales to schools in Allen Parish. They also extend the shop's closing time to midnight so that the kids have a safe place to socialize after games.

I would like to extend my sincerest congratulations to Canal Coffee on being recognized during the 2018 National Small Business Week. You make Louisiana proud, and I look forward to watching your continued growth and success.●

## RECOGNIZING AMERICA'S FINEST FILTERS

● Mr. PAUL. Mr. President, I first visited America's Finest Filters in 2015, after hearing about the incredible work this small business was doing in serving the members of Louisville's community. Founded by Michael White and now run by his daughter TaHondra Johnson, America's Finest Filters believes in the power of second chances and makes a conscious effort to employ ex-offenders, who currently make up over half of their employees.

What America's Finest Filters understands is that breaking the cycle of poverty, incarceration, and addiction can be done through providing opportunities for meaningful work and taking responsibility. When I visited with their employees, I listened to many stories of those who turned their lives around because America's Finest Filters gave them the tools to succeed.

April is also Second Chance Month, which is why I am proud to recognize this business for giving second chances to those who so truly deserve them. I am also recognizing this business in honor of late founder Michael White, who sadly lost his battle with cancer in 2016. He set a true example of what it means to be a role model and leader, and his philanthropic achievements and impact on the community will never be forgotten.●

## RECOGNIZING SMITTY'S PANCAKE AND STEAK HOUSE

● Mr. RISCH. Mr. President, as you may know, small businesses make up a significant portion of the retail and food services economy, both in my home State of Idaho and around the country. In Idaho, small businesses employ 67 percent of workers in the food services sector. As chairman of the Committee on Small Business and Entrepreneurship, I am proud to recognize Smitty's Pancake and Steak House as the Small Business of the Month for April 2018. Located in Idaho Falls, Smitty's Pancake and Steak House has provided exceptional service and quality food in a welcoming environment for decades.

Like many small restaurants, Smitty's began as just one location within a larger franchise network. However, in 1971, Leo and Cleo Werner left their jobs to buy the franchise license, thus changing the structure of the restaurant. Right away, the Werners knew that, in order to build a successful restaurant and leave a positive legacy, they would need to build customer loyalty by emphasizing customer service and creating an environment that makes their customers feel at home. When the Smitty's chain rebranded, Mr. and Mrs. Werner decided to strike out on their own as independent owners. The Werners decided that they should continue focusing on the values at the center of their business, rather than sacrifice their restaurant's charm for the relative stability of being part of a chain. These values live on in the restaurant today, as the business is led by Mr. and Mrs. Werner's granddaughters, Katrina Lott and Amanda Rosenberg. They have kept the restaurant in the family, taking over when their mother, the Werner's daughter Darlene, retired.

The Werners were eager to lead their team of employees by example, taking up any task that needed to get done around the restaurant, no matter how big or small. Their attention to customer service created strong loyalty among their customers, which is one of the many reasons people return. The Werners know that their customers are coming back in part for the family atmosphere cultivated by their friendly staff. Smitty's is known for serving a high volume of people at all times of the day, with some people lining up before 6 in the morning in order to get a taste of their hand-cut steaks and buttermilk pancakes. They have truly lived up to their motto of ''everybody's favorite.''

The restaurant enjoys strong customer loyalty not only because of the superb service, but also because of the tasty breakfast and dinner offerings, which remain largely unchanged from when Leo and Cleo Werner took control of the restaurant over 46 years ago. Whether you are looking for a traditional American breakfast or a homestyle steak-and-potatoes dinner, visitors and native Idahoans alike know they can find it at Smitty's.

Smitty's Pancake and Steak House has become a landmark in the Idaho Falls community by having the friendliest service in town and maintaining a menu of favorite items that keep customers coming back for more. Mr. and Mrs. Werner knew what it would take to build a small business in the food service industry and ensured that their values have been passed down to their children and grandchildren, who maintain these values today. Smitty's embraces the values of loyalty, service, and hard work and serves as an example for all entrepreneurs.

With great pleasure, I extend my congratulations to the Werner family and all of the employees of Smitty's Pancake and Steak House. I wish you well as you continue serving the people of Idaho Falls, and I look forward to

watching your continued growth and success.●

## RECOGNIZING DAIRY QUEEN OF MADISON, SOUTH DAKOTA

● Mr. ROUNDS. Mr. President, each year, a proclamation is issued designating National Small Business Week, a time to recognize the important contributions America's small business owners make to our economy and our local communities. South Dakota is home to many small businesses with a strong commitment to producing quality products while serving their community. Today it is my honor to recognize the Dairy Queen of Madison, SD, which serves as a testament as to what makes South Dakota's small business owners exemplary.

In 1964, the Mork family acquired the franchise license for the Madison Dairy Queen and continues to operate it successfully. Today DeLon Mork continues his family's business as the current owner of the restaurant. DeLon and his family are passionate about providing excellent service to their customers while giving back to the community that supports them. Each year, many Dairy Queens participate in Miracle Treat Day, to raise money for the Children's Miracle Network. For the past 11 years, DeLon and his team at the Madison Dairy Queen have worked to sell the most Blizzards of any Dairy Queen in North America on Miracle Treat Day. Their hard work on behalf of the Children's Miracle Network exemplifies the commitment to community service shared by the Mork family and the entire team at the Madison Dairy Queen. I commend the entire organization for their contributions to this great cause.

Small businesses like DeLon's play an important role in South Dakota's economy, and with this recognition, I hope to shine a light on his great work. His dedication to producing a quality product and serving his community makes all of South Dakota proud. I want to congratulate and thank DeLon and the entire Mork family for their outstanding devotion to our community. I send them best wishes as they continue to serve the community of Madison, SD.●

## MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on April 25, 2018, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 4300. An act to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, and for other purposes.

## MESSAGE FROM THE HOUSE

At 12:44 p.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. 447. An act to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2809. An act to amend title 51, United States Code, to provide for the authorization and supervision of nongovernmental space activities, and for other purposes.

H.R. 4681. An act to limit assistance for areas of Syria controlled by the Government of Syria or associated forces, and for other purposes.

H.R. 5086. An act to require the Director of the National Science Foundation to develop an I-Corps course to support commercialization-ready innovation companies, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 111. Concurrent resolution recognizing and supporting the efforts of the United Bid Committee to bring the 2026 Federation Internationale de Football Association (FIFA) World Cup competition to Canada, Mexico, and the United States.

### ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, April 25, 2018, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 4300. An act to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, and for other purposes.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2809. An act to amend title 51, United States Code, to provide for the authorization and supervision of nongovernmental space activities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4681. An act to limit assistance for areas of Syria controlled by the Government of Syria or associated forces, and for other purposes; to the Committee on Foreign Relations.

H.R. 5086. An act to require the Director of the National Science Foundation to develop an I–Corps course to support commercialization-ready innovation companies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 111. Concurrent resolution recognizing and supporting the efforts of the United Bid Committee to bring the 2026 Federation Internationale de Football Association (FIFA) World Cup competition to Canada, Mexico, and the United States; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–205. A concurrent memorial adopted by the Legislature of the State of Arizona petitioning the United States Congress to award a Congressional Gold Medal to the members of the 23rd Headquarters Special Troops and the 3133rd Signal Service Company to honor their unique and distinguished service with the Ghost Army during World War II; to the Committee on Banking, Housing, and Urban Affairs.

### HOUSE CONCURRENT MEMORIAL 2008

Whereas, during World War II in the European Theater of Operations, the American GIs of the 23rd Headquarters Special Troops and the 3133rd Signal Service Company wielded creativity and illusion to fool the German Army on the battlefield; and

Whereas, using inflatable tanks and artillery, sound equipment and impersonation, Ghost Army soldiers contrived to confuse the enemy about where the real Allied fighting units were located; and

Whereas, in so doing, these unsung heroes risked their own lives to draw fire away from American troops on the battlefields of Europe; and

Whereas, these soldiers carried out more than 20 deception missions on or near the front lines in France, Luxembourg, Belgium, Germany and Italy, which cost them dozens of casualties, including the loss of three lives; and

Whereas, the men of these United States Army units are credited with saving thousands of American GIs and helping win World War II; and

Whereas, their daring battlefield deceptions were kept secret for more than fifty years after the war, and, because of that secrecy, they never received public recognition for their valor; and

Whereas, the veterans of the 23rd Headquarters Special Troops and the 3133rd Signal Service Company made significant contributions to our nation but never sought praise or honors for themselves for their wartime exploits; and

Whereas, these men literally serve as an inspiration to the latest generation of soldiers serving in intelligence roles as the United States Army uses the story of the Ghost Army in the Intelligence School at Fort Huachuca; and

Whereas, several soldiers who called Arizona home before or after the war served in these deception units, including Glenn Uhles, who is buried in the National Memorial Center of Arizona, and painter Hal Laynor; and

Whereas, this state is deeply grateful for the extraordinary courage and remarkable ingenuity of the Ghost Soldiers in facing the enemy, and the people of Arizona laud these veterans for their proficient use of innovative tactics during World War II, which saved lives and made significant contributions to the defeat of the Axis powers; and

Whereas, the extraordinary accomplishments of the 23rd Headquarters Special Troops and the 3133rd Signal Service Company deserve belated official recognition now, while some of the soldiers are still living. Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress award a Congressional Gold Medal to the members of the 23rd Headquarters Special Troops and the 3133rd Signal Service Company to honor their unique and distinguished service with the Ghost Army during World War II.

2. That the Members of the United States Congress enact H.R. 2701 and S. 1256 to honor

the achievements of the Ghost Army in conducting deception operations in Europe during World War II.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

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POM–206. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to allow the Department of Transportation to provide additional Essential Air Service (EAS)-specific waivers for the 1,500 flight-hour training requirement to airlines to allow second-in-command commercial airline pilots the flexibility to serve EAS communities; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT MEMORIAL 2005

Whereas, the City of Prescott is an Essential Air Service (''EAS'') community; and

Whereas, the United States Congress instituted a requirement following the February 2009 airline accident involving Colgan Air Flight 3407; and

Whereas, the National Transportation Safety Board concluded that the cause of the crash was pilot error and inability to properly handle the aircraft; and

Whereas, following the crash, Congress implemented a requirement that all second-in-command commercial pilots obtain roughly 1,500 hours of flight time; and

Whereas, the first pilot in command of Colgan Air Flight 3407 had logged 3,379 total hours of flight time and the second pilot in command had logged 2,244 hours of flight time; and

Whereas, the pilots involved in the Flight 3407 crash met all the requirements under the new rule but were unfamiliar with the aircraft that crashed; and

Whereas, the current flight-hour requirement is the same regardless of the aircraft in use; and

Whereas, the current flight-hour requirement emphasizes quantity of flight hours over quality of flight hours; and

Whereas, EAS communities are often small or rural in nature and rely on smaller regional airlines using smaller aircraft, including smaller turboprop or jets, to support their communities; and

Whereas, without these smaller airlines and the pilots to fly the aircraft, rural communities would lose their connectivity to the rest of the nation; and

Whereas, many pilots cannot justify the high cost of education with several years of low salaries and unpredictable schedules to obtain the required 1,500 hours of flight time before being able to advance to a regional or major airline; and

Whereas, the 1,500 flight-hour rule incentivizes many pilots, on achieving the minimum requirement, to work for large commercial airlines in an effort to pay off their student loan expenses instead of remaining in EAS communities; and

Whereas, before the rule's implementation, second-in-command commercial pilots needed only approximately 250 hours of flight time; and

Whereas, the current 1,500 flight-hour rule has reduced the number of pilots working in EAS communities.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress act expeditiously to allow the United States Department of Transportation to provide additional EAS-specific waivers for the 1,500 flight-hour training requirement to airlines to allow second-in-command commercial airline pilots the flexibility to serve EAS communities.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

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POM–207. A joint memorial adopted by the Legislature of the State of Idaho urging the Secretary of Transportation to revise regulations to provide that the weight of a trailer being pulled by a commercial motor vehicle may not be included in the trigger weight of 26,001 pounds, requiring the truck's operator to have a commercial driver's license; to the Committee on Commerce, Science, and Transportation.

HOUSE JOINT MEMORIAL NO. 12

Whereas, Congress has delegated authority to the United States Secretary of Transportation to prescribe regulations on minimum standards for written and driving tests of an individual operating a motor vehicle; and

Whereas, Congress granted authority to the United States Secretary of Transportation to prescribe different minimum testing standards for different classes of commercial motor vehicles; and

Whereas, Congress provided by law in 49 U.S.C. 31301 that one factor in establishing whether a vehicle is a commercial motor vehicle is whether the vehicle has a gross vehicle weight rating or gross vehicle weight of no more than 26,001 pounds, but made no mention of combination vehicles pulling trailers; and

Whereas, the United States Secretary of Transportation has prescribed regulations that apply the trigger weight to a combination of vehicles if a vehicle being towed exceeds 10,000 pounds. For example, the operator of a commercial truck weighing 15,500 pounds that tows a trailer weighing 11,000 pounds would be required to obtain a Class A commercial driver's license; and

Whereas, many small businesses use trailers in their work, such as landscape work and construction or repair work; and

Whereas, requiring small business owners to obtain commercial driver's licenses in order to pull trailers behind their trucks poses an unnecessary obstacle to the ability of small business owners to earn their living. Now, therefore, be it

*Resolved*, By the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the United States Secretary of Transportation is urged to revise regulations to provide that the weight of a trailer being pulled by a commercial motor vehicle may not be included in the trigger weight of 26,001 pounds, requiring the truck's operator to have a commercial driver's license. Be it further

*Resolved*, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the United States Secretary of Transportation, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

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POM–208. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to reauthorize Secure Rural Schools and Community Self-Determination Act funding; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1007

Whereas, rural communities and schools in and around national forests have historically relied on a share of receipts from timber harvests to support education services and roads; and

Whereas, in the 1980s, federal restrictions substantially diminished the revenue-generating timber harvests permitted in these forests; and

Whereas, the Secure Rural Schools and Community Self-Determination Act (SRS) was passed in 2000 to stabilize and transition payments to counties and schools away from the declining and unreliable share of timber sales; and

Whereas, the failure of Congress to honor the more than 100-year-old contract between the federal government and heavily forested communities by not reauthorizing SRS funding for fiscal years 2014 and 2015 and other years created budgetary shortfalls for rural counties and school districts.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress immediately reauthorize SRS funding for fiscal years 2019 and 2020 and work toward a long-term solution.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

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POM–209. A joint memorial adopted by the Legislature of the State of Idaho memorializing its opposition to any new federal national monument designations or further designations of wilderness in the State of Idaho without the approval of the United States Congress and the Idaho Legislature; to the Committee on Energy and Natural Resources.

HOUSE JOINT MEMORIAL NO. 14

Whereas, the Antiquities Act was passed by the United States Congress and signed into law by President Theodore Roosevelt on June 8, 1906. The law gives the President of the United States the authority to, by presidential proclamation, create national monuments from federal lands to protect significant natural, cultural or scientific features. The law has been used more than one hundred times since its passage; and

Whereas, the Wilderness Act was passed in 1964 and, since that time, the United States Congress has designated nearly 110 million acres of federal wildlands as official wilderness, which has the highest form of protection of any federal wildland; and

Whereas, almost sixty-two percent of land in Idaho is federal land; and

Whereas, residents of the State of Idaho support multiple use of public land. Current multiple use and private land protection policies governing the management of public land in Idaho have generally served and sustained the interests of Idaho residents; and

Whereas, ranching and agriculture play a substantial role in the state's heritage and identity and should be preserved; and

Whereas, ranching, agriculture, mining, the forestry industry and recreation are primary economic drivers in the state, with agribusiness and recreation each contributing an estimated $7.6 billion, the mining industry contributing $1.3 billion and the forestry industry contributing $2 billion to the economy annually in recent years, all of which would be substantially impacted by any land management changes; and

Whereas, Idaho residents, families and visitors currently enjoy multiple use on federal lands and have generations of family traditions. Changing federal land designations would impact local wildlife management as well as opportunities to hunt and fish; and

Whereas, changes in federal land designations or classifications would affect land use by imposing restrictions on development, resource extraction, recreation and land exchanges that would result in diminished economic opportunities and restrictions on access and multiple use; and

Whereas, the people of the State of Idaho value abundant water resources and water rights and have concern that new national monument designations or further designation of wilderness by Congress could affect those resources and rights; and

Whereas, the Idaho Roadless Rule is Idaho's 2006 plan that provides a framework for use and protection of more than nine million acres of federal public backcountry. The rule is viewed as a nationwide model of collaboration among groups and individuals with diverse interests and concerns; and

Whereas, the Roadless Rule specifically prescribes protective management under the wildland recreation theme, and it is feared that utilization of the Antiquities Act for new national monument designations or further designation of wilderness by Congress would overturn the agreement reached in the formulation of the Idaho Roadless Rule, with no effort to reach consensus through coordination as required by federal law; and

Whereas, several years ago, advisory votes relating to a suggested new national monument designation and a wilderness designation in Idaho were held in a number of potentially affected counties in central and eastern Idaho, both showing over ninety percent opposition to such designations. Now, therefore, be it

*Resolved*, By the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we oppose any new federal national monument designations or further designations of wilderness in the State of Idaho without the approval of the United States Congress and the Idaho Legislature. Be it further

*Resolved*, That the Idaho congressional delegation is urged to introduce and support legislation to oppose any new federal national monument designations or further designations of wilderness in the State of Idaho without the approval of the United States Congress and the Idaho Legislature. Be it further

*Resolved*, That any efforts to reach decisions regarding lands and resources of the State of Idaho administered by federal agencies or their designees be made through the lawful coordination process as required by the National Environmental Policy Act, the Federal Land Policy and Management Act, the National Forest Management Act, the 2012 Forest Service Planning Rule and other federal acts requiring coordination, rather than by unilateral administrative processes that exclude the residents of the State of Idaho. Be it further

*Resolved*, That, nothing in this Joint Memorial is intended to conflict with the maximization of the collaborative process and the Good Neighbor Authority, together with the tools available to address stakeholder interests in the management of federal lands. Be it further

*Resolved*, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

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POM–210. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to immediately conduct a full and transparent investigation into organ transplant and procurement practices in the People's Republic of China; to the Committee on Foreign Relations.

HOUSE CONCURRENT MEMORIAL 2004

Whereas, since July 1999, the People's Republic of China has persecuted practitioners of Falun Gong—a spiritual practice with key values of truthfulness, compassion and forbearance for achieving physical and spiritual well-being through exercise and meditation—as documented by the United States Department of State, the United States Commission on International Religious Freedom, Amnesty International, Human Rights Watch, Freedom House and many other governmental and third-party organizations; and

Whereas, the persecution of Falun Gong practitioners involves the widespread use of torture, forced labor work, illegal detention centers and prisons, and these illegally detained prisoners of conscience experience forced medical examinations, including blood and urine testing, x-rays, ultrasounds and CT scans; and

Whereas, the official reported transplant numbers in China increased threefold nationwide between 1999 and 2004, parallel to the onset of the persecution of Falun Gong; and

Whereas, the organ transplant system in China does not comply with the World Health Organization's requirement for transparent and traceable accessibility of organ procurement practices, and the People's Republic of China has prevented any independent or impartial inspection and verification of its transplant system; and

Whereas, the current chairman of China's Human Organ and Transplant Committee, Dr. Huang Jiefu, claimed that China would stop sourcing organs from executed prisoners on January 1, 2015, yet no official agency of the People's Republic of China has made such a declaration nor has this claim been verified by any independent researcher. In May 2016, Dr. Jiefu announced via state-run media that China would increase the number of transplant centers from 169 to 300 over the next five years; and

Whereas, the People's Republic of China has not officially repealed provisions implemented in 1984 that allow the harvesting of organs from executed prisoners, and the use of organs from executed prisoners therefore remains legal; and

Whereas, large discrepancies exist between the People's Republic of China's officially reported transplant numbers and those estimated by independent researchers; and

Whereas, updated evidence estimates that between 30,000 and 100,000 transplants occur annually in China without identified organ sources; and

Whereas, updated evidence suggests that a significant number of Falun Gong practitioners may have been killed for their organs since 1999; and

Whereas, recipients for these transplants are Chinese citizens and individuals from abroad, including the United States; and

Whereas, in 2015, the United States Commission on International Religious Freedom's annual report again listed China as a ''country of particular concern'' due to severe human rights violations and illegal organ harvesting practices, stating that ''imprisoned Falun Gong practitioners are particularly targeted''; and

Whereas, in 2015 and 2016, the Congressional-Executive Commission on China condemned ongoing, unethical forced organ harvesting practices in China; and

Whereas, in March 2015, the Council of Europe passed a Convention against Trafficking in Human Organs that stated ''trafficking in human organs violates human dignity and the right to life and constitutes a serious threat to public health''; and

Whereas, in May 2016, the Minnesota Legislature passed Resolution S.F. No. 2090, ''expressing concern over persistent and credible reports of systematic, state-sanctioned, forced organ harvesting from nonconsenting prisoners of conscience, primarily from Falun Gong practitioners imprisoned for their spiritual beliefs, and members of other religious and ethnic minority groups in the People's Republic of China''; and

Whereas, in June 2016, the United States House of Representatives passed House Resolution 343 expressing concern over China's organ procurement from nonconsenting prisoners of conscience, including ''large numbers of Falun Gong practitioners and members of other religious and ethnic minority groups''; and

Whereas, in September 2016, the European Parliament passed Written Declaration 0048, which states that ''the international community has strongly condemned organ harvesting in China and actions should be taken to end it''; and

Whereas, the charitable medical ethics advocacy association Doctors Against Forced Organ Harvesting, which has monitored and objectively reported on the transplant situation in China for the last decade, was nominated for the 2016 Nobel Peace Prize; and

Whereas, the killing of prisoners, including religious or political prisoners, to sell their organs for transplant is an egregious and intolerable violation of the fundamental right to life.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress immediately conduct a full and transparent investigation into organ transplant and procurement practices in the People's Republic of China.

2. That the United States Congress prohibit the entry into the United States of doctors involved in unethical organ procurement or transplant surgery using organs harvested from prisoners in China.

3. That the United States Congress enact legislation to prohibit United States citizens from receiving organ transplants abroad if the organ sourcing is neither transparent nor traceable according to international ethical guidelines.

4. That Arizona's medical community caution patients against traveling to China for organs and strive to raise awareness among health care providers, students, patients and the public of the unethical organ transplant practices in the People's Republic of China.

5. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, the Executive Director of the Arizona Medical Board and the Dean of the University of Arizona College of Medicine.

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POM–211. A joint memorial adopted by the Legislature of the State of Idaho urging the Department of State to support several positions in negotiations with Canada regarding any modification or future implementation of the Columbia River Treaty; to the Committee on Foreign Relations.

HOUSE JOINT MEMORIAL NO. 11

Whereas, since it was implemented in 1964, the Columbia River Treaty has provided for a coordinated management of the Columbia River to reduce flooding impacts and increase power generation throughout the Columbia River Basin; and

Whereas, the treaty provides that either the United States or Canada may terminate

the treaty by providing written notice at least 10 years in advance of termination; and

Whereas, the U.S. and Canadian entities previously reviewed the treaty and determined that the treaty should be modified; and

Whereas, on December 7, 2017, the U.S. State Department issued a press release stating that the United States and Canada will begin negotiations to modernize the treaty in early 2018; and

Whereas, the U.S. Entity Regional Recommendation of 2013 concluded that the purposes of a ''modernized'' treaty should be expanded to include consideration of ''ecosystem-based function'' in addition to the original flood control and hydropower purposes of the treaty; and

Whereas, unless otherwise agreed to, the treaty provides that, in 2024, flood control operations will automatically shift from providing guaranteed flood control space in Canadian reservoirs to ''called upon'' flood control operations; and

Whereas, the U.S. and Canadian entities have provided differing interpretations of the ''called upon'' flood control provisions, with the U.S. Entity asserting that ''called upon'' operations apply only to dams in the Columbia River Basin specifically authorized for ''system-wide flood control,'' and the Canadian Entity taking the position that all U.S. storage projects in the Columbia River Basin must be utilized for system-wide flood control before Canadian reservoirs are called upon to provide any flood control space; and

Whereas, altered flood control operations could have devastating impacts on reservoir storage and operation levels, irrigation, recreation, hydropower, local flood control and other authorized purposes in Idaho; and

Whereas, the Canadian Entitlement, whereby the U.S. and Canadian entities share the increased power production created by coordinated river operations, has proven to be imbalanced in favor of Canada; and

Whereas, including ecosystem-based function in a modernized treaty could have adverse impacts on existing beneficial uses of the river and create greater uncertainty in a river system that is already heavily regulated; and

Whereas, the Regional Recommendation fails to recognize the substantial investment in ecosystem-based function made by Northwest region hydropower producers and their customers, including billions of dollars invested in fish passage and habitat efforts and the development and implementation of robust environmental mitigation plans; and

Whereas, navigation should be protected, and adverse flows should not impact the transportation channel or lock system operations: Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the U.S. Department of State to support the following positions in negotiations with Canada regarding any modification or future implementation of the Columbia River Treaty:

(1) Recognize and protect the authorized purposes and water rights for storage projects in Idaho, including irrigation, recreation, hydropower and local flood control;

(2) Advocate that only storage projects specifically authorized by Congress for system-wide flood control may be required to provide such benefits under the treaty, with no increased flood control burden placed on projects in Idaho;

(3) Recognize a need to review and rebalance the Canadian Entitlement;

(4) Recognize the ecosystem benefits that have already been provided by storage projects in the United States pursuant to the other federal laws and refrain from advocating for additional ecosystem contributions from U.S. projects;

(5) Recognize that ecosystem restoration, as that term has been used by some proponents of modernization, is intentionally vague and if incorporated into an international treaty could be used as a vehicle to override and infringe upon existing federal environmental laws and usurp state sovereignty over water and, therefore, require any treaty modification to preserve federal environmental protection laws and state water laws and reject any additional mitigation requirements;

(6) Require any treaty modification to recognize the primary authority and state sovereignty of Idaho and its sister states over their respective water resources;

(7) Reject any attempts through the treaty modification process to incorporate the reintroduction of anadromous species above Hells Canyon or Dworshak, as such efforts are outside the scope of the treaty purposes; and

(8) Protect navigation so that adverse flows do not impact the transportation channel or block system operations; and be it further

*Resolved* that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States, the U.S. Department of State, the Columbia River Treaty Negotiator, the U.S. Entity Coordinator, Bonneville Power Administration and the U.S. Army Corps of Engineers.

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POM–212. A concurrent resolution adopted by General Assembly of the Commonwealth of Kentucky urging the United States Congress to amend the federal Controlled Substances Act to remove hemp from the definition of marijuana; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 35

Whereas, for several years, hemp, a nonnarcotic low-concentration THC variety of the cannabis plant, has been listed along with marijuana under the federal Controlled Substances Act; and

Whereas, in 2014, Congress enacted a provision of law, now codified as 7 U.S.C. sec. 5940, authorizing state departments of agriculture and institutions of higher education to grow or cultivate industrial hemp in jurisdictions where it is allowed by state law for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and

Whereas, since 2014, the Kentucky Department of Agriculture has conducted a hemp research pilot program that is widely regarded as a model for other states to emulate; and

Whereas, Kentucky's farmers planted 33 acres of hemp in 2014, a total of 922 acres in 2015, some 2,300 acres in 2016, and 3,200 acres in 2017; and

Whereas, from 2014 to 2017, the number of farmers in Kentucky growing hemp increased from 20 to 204, with even more interest in hemp production anticipated in 2018; and

Whereas, from 2014 to 2017, the number of hemp processors increased from nine to 49; and

Whereas, in 2017, the General Assembly amended Kentucky's Controlled Substances Act to exclude many hemp materials and products from the Commonwealth's definition of illegal marijuana; and

Whereas, processors in Kentucky and other states have proven that hemp is an economically viable agricultural commodity that can be used to make a wide variety of useful products, including products for human consumption; and

Whereas, removing hemp from the federal definition of marijuana would allow Kentucky's community of hemp farmers and processors to take full advantage of this promising agricultural crop; Now, Therefore,

*Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:*

Section 1. The General Assembly of the Commonwealth of Kentucky urges the United States Congress to take action by enacting legislation that:

(1) Encourages large-scale commercial cultivation of hemp by removing it from the list of controlled substances under the federal Controlled Substances Act;

(2) Prevents the federal Drug Enforcement Administration (DEA) from sending DEA agents onto farms and other sites where hemp is being grown, stored, and processed;

(3) Creates legal protections for depository institutions that provide financial services to legitimate hemp businesses; and

(4) Instructs the federal Food and Drug Administration to accelerate clinical trials and other research on the health effects of cannabidiol (CBD) and other cannabinoids found in hemp.

Section 2. The Clerk of the House of Representatives shall send a copy of this Resolution and notification of its adoption to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and each member of Kentucky's delegation to the United States Congress.

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POM–213. A joint resolution adopted by the Legislature of the State of Wyoming urging the United States Congress to enact legislation permitting western states to enter into a voluntary compact to establish a graduated commercial driver licensing program that would allow commercial drivers between eighteen (18) and twenty-one (21) years of age to operate a commercial motor vehicle in a consenting, contiguous states; to the Committee on the Judiciary.

ENROLLED JOINT RESOLUTION NO. 1

Whereas, federal law requires drivers to be at least twenty-one (21) years of age to operate a commercial motor vehicle between states; and

Whereas, drivers who are between eighteen (18) and twenty-one (21) years of age may operate a commercial motor vehicle intrastate within the states of Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah and Wyoming; and

Whereas, the trucking industry delivers goods across state lines and faces a severe shortage of drivers because of increased shipping demand and a high number of retiring drivers; and

Whereas, it is difficult to recruit drivers who are twenty-one (21) years of age or older into the trucking industry because they have already entered another career path; and

Whereas, the unemployment rate for persons between eighteen (18) and twenty-one (21) years of age is higher than that of other age groups; and

Whereas, the safety performance statistics for noncommercial drivers who are between eighteen (18) and twenty-one (21) years of age do not necessarily reflect the safety performance of the same group who hold a commercial driver's license; and

Whereas, the safety benefits of graduated licensing for noncommercial vehicle drivers are well documented and similar safety benefits may be possible with a graduated commercial licensing program that expands commercial driving privileges; and

Whereas, legislation allowing a voluntary compact between Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah and Wyoming could include a conditional lowering of the twenty-one (21) year old commercial driver age requirement and would allow these contiguous states to establish a graduated commercial driver licensing program to allow drivers between eighteen (18) and twenty-one (21) years of age to operate a commercial motor vehicle in a consenting, contiguous state. Now, therefore, be it

*Resolved* by the Members of the Legislature of the State of Wyoming:

Section 1. That Congress enact legislation permitting Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah and Wyoming to enter into a voluntary compact to establish a graduated commercial driver licensing program to allow drivers who are between eighteen (18) and twenty-one (21) years of age and who hold a commercial driver's license issued by a compact state to operate a commercial motor vehicle in a consenting, contiguous compact state.

Section 2. That the Secretary of State of Wyoming transmit copies of this resolution to the President and the Majority Leader of the Senate and the Speaker of the House of Representatives of the United States Congress, the Wyoming Congressional Delegation and to the congressional delegations and the legislative bodies of Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota and Utah.

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POM–214. A concurrent memorial adopted by the Legislature of the State of Arizona petitioning the United States Congress to enact into law the proposed Blue Water Navy Vietnam Veterans Act; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT MEMORIAL 2007

Whereas, United States service members who served in the territorial seas of Vietnam during the Vietnam War were exposed to more than 20 million gallons of the herbicide Agent Orange, a toxic chemical linked to a variety of detrimental health effects; and

Whereas, the Agent Orange Act of 1991 allowed the United States Secretary of Veterans Affairs to expeditiously deliver veterans' benefits to veterans who suffer from any of the diseases the federal government linked to Agent Orange, but this act was limited in 2002 to only those veterans who could provide proof of ''boots on the ground'' in Vietnam; and

Whereas, the Blue Water Navy Vietnam Veterans Act would restore the presumptive coverage for blue water veterans and lift from these individuals the burden of having to prove their exposure to Agent Orange; and

Whereas, the Blue Water Navy Vietnam Veterans Act would lessen the suffering of veterans who are currently enduring diseases they received as a result of their honorable service to this nation.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress enact into law the proposed Blue Water Navy Vietnam Veterans Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

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POM–215. A proclamation adopted by the Mayor and City Council of Hawaiian Gardens, California, memorializing its support of Falun Gong practitioners in China and condemning practices of forced and non-consenting organ harvesting; to the Committee on Foreign Relations.

POM–216. A resolution adopted by the City Commission of the City of Miami, Florida, urging the President of the United States and the United States Congress to reinstate Temporary Protected Status (TPS) to Haitians and affected Central American immigrants from El Salvador, Honduras, and Nicaragua residing in the United States, to extend TPS to Venezuelans fleeing the circumstances of their country, to either reinstate or extend the Deferred Action for Childhood Arrivals (DACA) Program, and to adopt legislation necessary to permanently protect Dreamers; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1335. A bill to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes (Rept. No. 115–233).

S. 1446. A bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program (Rept. No. 115–234).

H.R. 648. A bill to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir (Rept. No. 115–235).

H.R. 1135. A bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program (Rept. No. 115–236).

H.R. 2888. A bill to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes (Rept. No. 115–237).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 382. A bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 2597. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Alan E. Cobb, of Kansas, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2023.

*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.

*Rebecca Kelly Slaughter, of Maryland, to be a Federal Trade Commissioner for the term of seven years from September 26, 2015.

*Rubydee Calvert, of Wyoming, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2022.

*Laura Gore Ross, of New York, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2022.

*Coast Guard nomination of Vice Adm. Karl L. Schultz, to be Admiral .

*Coast Guard nomination of Vice Adm. Charles W. Ray, to be Admiral.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 2744. A bill to establish a grant program to provide assistance to States to prevent and repair damage to structures due to pyrrhotite; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. 2745. A bill to establish a grant program to provide assistance to prevent and repair damage to structures due to pyrrhotite; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOKER (for himself, Mrs. GILLIBRAND, Mr. MERKLEY, Ms. HARRIS, and Ms. WARREN):

S. 2746. A bill to require the Secretary of Labor to establish a pilot program to provide grants for job guarantee programs; to the Committee on Finance.

By Ms. HASSAN (for herself, Mr. MARKEY, Mrs. SHAHEEN, and Mr. SANDERS):

S. 2747. A bill to provide for the study and evaluation of net metering, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself, Mr. ROUNDS, and Mr. COONS):

S. 2748. A bill to amend title 10, United States Code, to require members of the Armed Forces to receive additional training under the Transition Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself and Mr. THUNE):

S. 2749. A bill to provide for the reform and continuation of agricultural commodity programs of the Department of Agriculture through fiscal year 2023, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 2750. A bill to require the Secretary of Veterans Affairs to ensure that the supported housing program of the Department of Veterans Affairs has not fewer than one program manager for every 35 rental assistance cases under such program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 2751. A bill to designate the facility of the United States Postal Service located at 6 Doyers Street in New York, New York, as the ''Mabel Lee Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VAN HOLLEN (for himself and Ms. MURKOWSKI):

S. 2752. A bill to provide a Federal charter to the Fab Foundation for the National Fab Lab Network, a national network of local digital fabrication facilities providing universal access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. YOUNG (for himself and Mr. BOOKER):

S. 2753. A bill to establish a commission for the purpose of studying the issue of retirement security; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself, Mr. KAINE, and Mrs. CAPITO):

S. 2754. A bill to establish a grant program to address the impact of substance use-related trauma on children and youth in public schools; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 2755. A bill to amend title 39, United States Code, to provide that the United States Postal Service may provide certain basic financial services, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TILLIS (for himself and Ms. CORTEZ MASTO):

S. 2756. A bill to amend the Securities Act of 1933 to direct the Securities and Exchange Commission to revise the regulations of the Commission regarding the qualifications of natural persons as accredited investors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. YOUNG (for himself, Mr. MERKLEY, Mr. RUBIO, and Mr. COONS):

S. 2757. A bill to require a national economic security strategy, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. 2758. A bill to amend title 36, United States Code, to provide for the display of the National League of Families POW/MIA flag at the World War I Memorials; considered and passed.

By Mr. GRASSLEY (for himself, Mr. RUBIO, Mr. NELSON, and Mr. HATCH):

S. 2759. A bill to amend title 18, United States Code, to reauthorize and expand the National Threat Assessment Center of the Department of Homeland Security; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Ms. DUCKWORTH, Ms. BALDWIN, Mrs. SHAHEEN, Ms. HIRONO, Mr. DURBIN, Ms. HASSAN, Ms. WARREN, Mrs. FEINSTEIN, Mr. MARKEY, Mr. COONS, and Ms. SMITH):

S. Res. 483. A resolution recognizing the contributions of senior volunteers and designating the week of April 29 through May 5, 2018, as ''National Senior Corps Week''; considered and agreed to.

By Mr. ISAKSON (for himself and Ms. STABENOW):

S. Res. 484. A resolution supporting the designation of April 2018 as ''Parkinson's Awareness Month''; considered and agreed to.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORKER, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAPO, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. SHELBY, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 485. A resolution honoring the life of First Lady Barbara Bush; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 451

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 451, a bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

S. 452

At the request of Mr. FLAKE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 452, a bill to amend the Clean Air Act to delay the enforcement and implementation of the 2015 national ambient air quality standards for ozone.

S. 896

At the request of Mr. BURR, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 896, a bill to permanently reauthorize the Land and Water Conservation Fund.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1589

At the request of Mr. ROBERTS, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1803

At the request of Mr. HATCH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1803, a bill to improve medical research on marijuana.

S. 1879

At the request of Mr. BARRASSO, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1879, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1895

At the request of Mr. UDALL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1895, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

S. 2076

At the request of Ms. CORTEZ MASTO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2101

At the request of Mr. DONNELLY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2101, a bill to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2205

At the request of Mr. HEINRICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2205, a bill to improve access by Indian tribes to support from the Schools and Libraries Universal Service Support program (E-rate) of the Federal Communications Commission, and for other purposes.

S. 2221

At the request of Mr. JOHNSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2221, a bill to repeal the multi-State plan program.

S. 2471

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Mr.

DURBIN) was added as a cosponsor of S. 2471, a bill to amend title 18, United States Code, to improve the compassionate release process of the Bureau of Prisons, and for other purposes.

S. 2497

At the request of Mr. RUBIO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor 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. 2625

At the request of Mrs. FEINSTEIN, the names of the Senator from Alabama (Mr. JONES) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2625, a bill to amend title 17, United States Code, to provide for the payment of performance royalties to certain producers, mixers, and sound engineers of sound recordings, and for other purposes.

S. RES. 401

At the request of Mr. DAINES, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 401, a resolution designating May 5, 2018 as the ''National Day of Awareness for Missing and Murdered Native Women and Girls''.

S. RES. 440

At the request of Mr. PORTMAN, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 440, a resolution designating April 2018 as ''Second Chance Month''.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. 2758. A bill to amend title 36, United States Code, to provide for the display of the National League of Families POW/MIA flag at the World War I Memorials; considered and passed.

S. 2758

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DISPLAY OF NATIONAL LEAGUE OF FAMILIES POW/MIA FLAG AT THE WORLD WAR I MEMORIALS.**

(a) IN GENERAL.—Subsection (d)(3) of section 902 of title 36, United States Code, is amended by striking ''The World War II Memorial,'' and inserting ''The World War I Memorials, the World War II Memorial,''.

(b) DAYS FOR DISPLAY.—Subsection (c)(2)(A) of such section is amended by inserting ''the World War I Memorials,'' before ''the World War II Memorial,''.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 483—RECOGNIZING THE CONTRIBUTIONS OF SENIOR VOLUNTEERS AND DESIGNATING THE WEEK OF APRIL 29 THROUGH MAY 5, 2018, AS ''NATIONAL SENIOR CORPS WEEK''

Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Ms. DUCKWORTH, Ms. BALDWIN, Mrs. SHAHEEN, Ms. HIRONO, Mr. DURBIN, Ms. HASSAN, Ms. WARREN, Mrs. FEINSTEIN, Mr. MARKEY, Mr. COONS, and Ms. SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 483

Whereas volunteers in the United States who are 55 years of age and older (referred to in this preamble as ''senior volunteers'') provide much-needed services to their communities, neighbors, and friends;

Whereas Senior Corps, through the RSVP, Foster Grandparent, and Senior Companion programs administered by the Corporation for National and Community Service, provides meaningful opportunities to 220,000 senior volunteers and recruits thousands of additional community volunteers;

Whereas, for more than 5 decades, RSVP volunteers, Foster Grandparents, and Senior Companions have played an important role in strengthening communities by contributing their experience, knowledge, and accomplishments in order to—

(1) help their neighbors recover from natural and manmade disasters;

(2) provide nutrition services;

(3) mentor and tutor schoolchildren;

(4) support veterans and military families; and

(5) provide respite care to caregivers;

Whereas, in 2017, Senior Corps volunteers provided 54,000,000 hours of direct service through more than 25,000 nonprofit, educational, and faith-based community groups nationwide;

Whereas structured volunteering by senior volunteers—

(1) keeps those senior volunteers active, healthy, and engaged;

(2) helps the United States by saving taxpayer dollars and reducing health care costs; and

(3) supports the ability of seniors to live independent and productive lives;

Whereas the RSVP, Foster Grandparent, and Senior Companion programs have proven to be cost-effective ways to engage senior volunteers in service that meets pressing community needs;

Whereas the United States should expand senior volunteer service opportunities to take advantage of the talents and experiences of the 10,000 baby boomers who will retire each day for the next 20 years; and

Whereas, at a time of mounting social need and growing interest in service by older individuals in the United States, the United States has an unprecedented opportunity to harness the talents of senior volunteers to address community challenges: Now, therefore, be it

*Resolved,* That the Senate—

(1) designates the week of April 29 through May 5, 2018, as ''National Senior Corps Week''; and

(2) encourages the people of the United States to recognize the contributions of senior volunteers and join in the celebration of National Senior Corps Week.

### SENATE RESOLUTION 484—SUPPORTING THE DESIGNATION OF APRIL 2018 AS ''PARKINSON'S AWARENESS MONTH''

Mr. ISAKSON (for himself and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 484

Whereas Parkinson's disease is a chronic, progressive neurological disease and is the second most common neurodegenerative disease in the United States;

Whereas there is inadequate data on the incidence and prevalence of Parkinson's disease, but it is estimated to affect nearly 1,000,000 individuals in the United States, with that number expected to more than double by 2040;

Whereas Parkinson's disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention;

Whereas millions of individuals in the United States are caregivers, family members, and friends who are greatly impacted by Parkinson's disease;

Whereas research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause in most individuals is still unknown;

Whereas there is currently no objective test or biomarker to diagnose Parkinson's disease;

Whereas there is no known cure or drug to slow or halt the progression of Parkinson's disease, and available treatments are limited in their ability to address the medical needs of patients and remain effective over time;

Whereas the symptoms of Parkinson's disease vary from person to person and can include—

(1) tremors;

(2) slowness of movement and rigidity;

(3) gait and balance difficulty;

(4) speech and swallowing disturbances;

(5) cognitive impairment and dementia;

(6) mood disorders; and

(7) a variety of other non-motor symptoms;

Whereas volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of individuals living with Parkinson's disease and their families; and

Whereas increased research, education, and community support services are needed to find more effective treatments and to provide access to quality care to those living with Parkinson's disease today: Now, therefore, be it

*Resolved,* That the Senate—

(1) designates April 2018 as ''Parkinson's Awareness Month'';

(2) supports the goals and ideals of Parkinson's Awareness Month;

(3) continues to support research to find better treatments and a cure for Parkinson's disease;

(4) recognizes the individuals living with Parkinson's disease who participate in vital clinical trials to advance the knowledge of the disease; and

(5) commends the dedication of organizations, volunteers, researchers, and millions of individuals across the country working to improve the quality of life of individuals living with Parkinson's disease and their families.

### SENATE RESOLUTION 485—HONORING THE LIFE OF FIRST LADY BARBARA BUSH

Mr. CORNYN (for himself, Mr. CRUZ, Mr. MCCONNELL, Mr. SCHUMER, Mr.

ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORKER, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAPO, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. SHELBY, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 485

Whereas Barbara Pierce was born on June 8, 1925, in New York City;

Whereas Barbara Pierce became engaged to George Herbert Walker Bush and, while awaiting his return from combat during World War II, supported the war effort by working at a nuts and bolts factory in Port Chester, New York;

Whereas Barbara Bush was married to President George H.W. Bush for 73 years, and together they had 2 daughters, 4 sons, 17 grandchildren, and 8 great-grandchildren;

Whereas as Second Lady of the United States, Barbara Bush became a passionate champion for family literacy and published ''C. Fred's Story: A Dog's Life'', which raised $100,000 for Literacy Volunteers of America and Laubach Literacy Action;

Whereas, in January of 1983, Barbara Bush joined the board of the Morehouse School of Medicine in Atlanta, Georgia, and worked with Dr. Louis Sullivan to help raise $10 million for the school's first capital campaign;

Whereas First Lady Barbara Bush founded the Barbara Bush Foundation for Family Literacy in 1989, and over the course of 30 years raised more than $110 million to support family literacy programs in every State across America;

Whereas while serving as First Lady, Barbara Bush visited facilities for AIDS victims and held infected babies and hugged adults, and in so doing, helped erase the stigma of that disease;

Whereas, in 1991, Barbara Bush and other advocates worked for the passage of the National Literacy Act of 1991, which created the National Institute for Literacy and permitted the use of libraries and other municipal property as evening literacy centers for adults;

Whereas after leaving the White House, Barbara Bush continued to support a broad range of important organizations and causes, including AmeriCares, the Mayo Clinic Foundation, the Leukemia Society of America, the Ronald McDonald House, and the Boys & Girls Club of America;

Whereas three primary schools and two middle schools in Texas have been named for Barbara Bush, along with an elementary school in Mesa, Arizona, the Barbara Bush Library in Harris County, Texas, and the Barbara Bush Children's Hospital at Maine Medical Center in Portland, Maine;

Whereas Barbara Bush shares the rare distinction with Abigail Adams of being both a wife to, and mother of, a President of the United States, and is also the mother of a Governor of Florida and a Governor of Texas; and

Whereas Barbara Bush was a truly great American, First and Second Lady of the United States, literacy advocate, author, mother, and ''Ganny'': Now, therefore, be it

*Resolved*, That the Senate—

(1) extends its sympathies to the family of Barbara Bush; and

(2) honors the life of First Lady Barbara Bush and her contribution to the United States of America.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. BLUNT. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 9:45 a.m. to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 3 p.m. to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 2:30 p.m. to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 10 a.m. to conduct a hearing on the following nominations: Andrew S. Oldham, of Texas, to be United States Circuit Judge for the Fifth Circuit, Alan D. Albright, to be United States District Judge for the Western District of Texas, Thomas S. Kleeh, to be United States District Judge for the Northern District of West Virginia, Peter J. Phipps, to be United States District Judge for the Western District of Pennsylvania, and Michael J. Truncale, to be United States District Judge for the Eastern District of Texas.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 2:30 p.m. to conduct a hearing.

COMMITTEE ON SMALL BUSINESS ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 3:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, April 25, 2018, at 2:30 p.m. to conduct a hearing entitled, ''Enhancing the Marine Mammal Protection Act.''

## COMMEMORATING THE 59TH ANNIVERSARY OF TIBET'S 1959 UPRISING AS ''TIBETAN RIGHTS DAY''

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 363, S. Res. 429.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 429) commemorating the 59th anniversary of Tibet's 1959 uprising as ''Tibetan Rights Day,'' and expressing support for the human rights and religious freedom of the Tibetan people and the Tibetan Buddhist faith community.

There being no objection, the Senate proceeded to consider the resolution.

Mr. TILLIS. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 429) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 8, 2018, under ''Submitted Resolutions.'')

## PROVIDING FOR THE DISPLAY OF THE NATIONAL LEAGUE OF FAMILIES POW/MIA FLAG AT THE WORLD WAR I MEMORIALS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2758, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2758) to amend title 36, United States Code, to provide for the display of the National League of Families POW/MIA flag at the World War I Memorials.

There being no objection, the Senate proceeded to consider the bill.

Mr. TILLIS. Mr. President, I further ask unanimous consent that the bill be

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. Without objection, it is so ordered.

The bill (S. 2758) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2758

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DISPLAY OF NATIONAL LEAGUE OF FAMILIES POW/MIA FLAG AT THE WORLD WAR I MEMORIALS.**

(a) IN GENERAL.—Subsection (d)(3) of section 902 of title 36, United States Code, is amended by striking ''The World War II Memorial,'' and inserting ''The World War I Memorials, the World War II Memorial,''.

(b) DAYS FOR DISPLAY.—Subsection (c)(2)(A) of such section is amended by inserting ''the World War I Memorials,'' before ''the World War II Memorial,''.

## NATIONAL DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRLS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 401 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 401) designating May 5, 2018 as the ''National Day of Awareness for Missing and Murdered Native Women and Girls.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. TILLIS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 401) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 12, 2018, under ''Submitted Resolutions.'')

## RESOLUTIONS SUBMITTED TODAY

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 483, S. Res. 484, and S. Res. 485.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. TILLIS. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

## ORDERS FOR THURSDAY, APRIL 26, 2018

Mr. TILLIS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, April 26; 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 proceed to executive session and resume consideration of the Pompeo nomination, with the time until 12 noon tomorrow equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDER FOR ADJOURNMENT

Mr. TILLIS. 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 BLUMENTHAL.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

## DARK MONEY

Mr. BLUMENTHAL. Mr. President, I am here to talk about money in politics and, even more insidiously and potentially perniciously, money in government.

The money in politics begins with the President's nominee to be Secretary of State, Mike Pompeo. I suggest to my colleagues that they read an article that appeared in opensecrets.org from the Center for Responsive Politics. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[OpenSecrets.org, Center for Responsive Politics, March 24, 2018]

TRUMP PICKS TOP KOCH RECIPIENT FOR SECRETARY OF STATE

(By Megan Janetsky and Matthew Kelly)

President Trump nixed Rex Tillerson as secretary of state Tuesday in favor of CIA Director Mike Pompeo, a former Kansas congressman whose political career was paved by Koch Industries.

Headquartered in Pompeo's former Wichita district, the privately held company run by conservative megadonors Charles and David Koch has funneled more money to the Trump pick than any other federal politician.

The oil-and-gas conglomerate built a reputation for using a network of ''dark money'' to exert political influence and was Pompeo's top donor over the course of his former congressional career.

That ''in'' may work to the advantage of the Koch brothers, who hold a significant interest in global affairs, especially with Trump's recently imposed tariffs.

TOP DONORS TO MIKE POMPEO

[Career Totals]

| Donor | Total |
|---|---|
| Koch Industries | $400,500 |
| Textron | $79,810 |
| Mull Drilling | $70,350 |
| Club for Growth | $64,817 |
| Ritchie Exploration | $55,954 |
| INTRUST Bank | $55,300 |
| McCoy Petroleum | $52,550 |
| AT&T | $51,250 |
| Cox Enterprises | $47,300 |
| Emprise Bank | $44,555 |

Since his first bid for Congress in 2010, Pompeo has received $400,500 from Koch Industries—$335,500 from individual employee contributions and $65,000 from its corporate PAC, Center for Responsive Politics data shows.

Each election cycle leading up to his confirmation as CIA director in 2017, Pompeo led all federal politicians in Koch-related donations. He's also received more money from the oil interest than any candidate since 1989.

Trump's announcement came in a surprise tweet Tuesday morning, adding Tillerson to a growing list of White House officials to unceremoniously leave the administration.

Tillerson thanked members of the State Department in a news conference that afternoon, saying ''the world needs selfless leaders such as these.''

''I will address a few administrative matters related to my departure and work towards a smooth and orderly transition for secretary of state-designate, Mike Pompeo,'' Tillerson told reporters.

Pompeo's relationship with the Kochs has held strong over the years. In 2014, when he faced a tough primary challenge, the Koch-funded Americans for Prosperity group spent over $409,000 supporting Pompeo.

Other congressional leaders who trailed Pompeo in career donations from Koch Industries include House Speaker Paul Ryan (R–Wis.) with $274,172 and Senate Majority Leader Mitch McConnell (R–Ky.) with $148,350.

But Pompeo's ties to the Koch brothers predate his political career.

He used investments from the Koch empire to help kick-start a Wichita-based company, Thayer Aerospace. After leaving the company, Pompeo acted as head of Sentry International, an oil drilling manufacturer with Koch ties.

Those investments seem to have paid off.

When Pompeo entered Congress, he brought with him a former Koch Industries lawyer as his chief of staff. Within his first week on the job, Pompeo proposed measures considered top legislative priorities for Koch Industries.

The proposals included cutting funding for an Environmental Protection Agency registry of greenhouse-gas polluters and a database of consumer complaints about unsafe products, The Washington Post reported.

Along with Koch support, Pompeo has been bankrolled by other oil-and-gas interests, including Textron, Mull Drilling and McCoy Petroleum. The industry has given him a total of $1.2 million, the most by any industry, CRP data shows.

Now Pompeo enters the role of the White House's chief diplomat, a position that can affect the financial interests of multinational companies.

TOP POLITICIANS SUPPORTED BY KOCH INDUSTRIES

[Career Totals]

| Politican | Last Office Sought | Total |
|---|---|---|
| Mike Pompeo (R–KS) | House | $400,500 |
| Todd Tiahrt (R–KS) | House | $388,766 |
| Paul Ryan (R–WI) | House | $274,172 |
| Pat Roberts (R–KS) | Senate | $258,850 |
| James M Inhofe (R–OK) | Senate | $187,150 |
| Jerry Moran (R–KS) | Senate | $175,900 |
| Roy Blunt (R–MO) | Senate | $168,600 |
| Sam Brownback (R) | President | $168,050 |
| Pete Sessions (R–TX) | House | $162,000 |
| Mitch McConnell (R–KY) | Senate | $148,350 |

The Koch brothers already have a broad international presence. According to the company's website, Koch companies alone ''employ more than 120,000 people across about 60 countries.''

While Pompeo has yet to take a stance on Trump's recently rolled out tariffs, Charles Koch harshly rejected them, saying in a press release last week that ''History is filled with examples of administrations that implemented trade restrictions with devastating results.''

''One might assume that, as head of Koch Industries—a large company involved in many industries, including steel—I would applaud such import tariffs because they would be to our immediate and financial benefit,'' he wrote. ''Corporate leaders must reject this type of short-term thinking, and we have.''

Late last year, the Charles Koch Foundation embarked on a multimillion-dollar project to promote the realist school of foreign policy in programs at elite universities such as Harvard, Notre Dame and the Massachusetts Institute of Technology.

Koch is an outspoken libertarian when it comes to foreign policy, and the realist school of foreign policy champions restraint on the world stage and taking a backseat on humanitarian intervention and nation-building.

Mr. BLUMENTHAL. The article has the headline ''Trump picks top Koch recipient for secretary of state.'' The article says that ''former Kansas congressman whose political career was paved by Koch Industries'' received more money than others in similar situations.

The reasons to vote against Mike Pompeo are many, but one of the principal ones is that he was one of the chief recipients of money from the Koch brothers or their organizations. In fact, since his first bid for Congress in 2010, Pompeo has received $400,000 from Koch Industries, $335,000 from employee contributions, and $65,000 from its corporate PAC, according to the Center for Responsive Politics.

The Pompeo nomination is a poster boy for the impact of money in politics, the influence of the Koch brothers on this administration, and the enduring effect of campaign contributions, of influence-buying and pettiness in government.

The Koch brothers are blatantly using their influence in the Trump administration to advance an agenda based on their own self-interests at the expense of our democracy, and they have reached into the uppermost levels and echelons of this administration through individuals they have supported over years and years, such as Mike Pompeo.

In July of 2015, 2 weeks before he kicked off his campaign for President, the President said through a tweet: ''I really like the Koch Brothers (members of my [Palm Beach] Club), but I don't want their money or anything else from them. Cannot influence Trump!'' Well, they are good friends. They are members of the club. And nobody can deny their influence on Donald Trump, their impact on this administration, or their enduring reaches and effects on public policy.

If you have ever wondered where Republican ideological positions originated on lowering corporate taxes, undercutting healthcare, or loosening environmental regulations, look no further than a Koch front group called Americans for Prosperity. Americans for Prosperity is the recipient of the largest grants made by another organization called Freedom Partners. POLITICO describes Freedom Partners as ''the Koch brothers' secret bank.'' The group peddles dark money to front groups to drum up public support for policies that benefit the richest of the rich.

The Americans for Prosperity organization has been called by the Washington Post ''the third largest political party in the United States.'' It was founded in 2004 by David Koch, who serves as the chairman of the board, and he has crammed the group with Republican operatives. Many of them work for the Vice President. They operate in 36 States. They are heavily involved in electoral activities, spending millions of dollars on TV ads that spread disinformation, falsely claiming that the middle class will benefit from policies designed to enrich the millionaire backers and billionaire backers of Americans for Prosperity.

The organizations backed by these two groups and others have consistently claimed that tax cuts for the wealthy will benefit all Americans. They have consistently argued for measures that cause environmental degradation. In fact, the Koch brothers have an enormous stake in repealing regulations that protect the environment and put limits on polluting fossil fuel companies, repealing those regulations designed to accomplish that goal.

Americans for Prosperity drives the Koch energy agenda. The group spent millions lobbying for its industry-backed champion, Scott Pruitt, to head the Environmental Protection Agency, as well as others nominated for EPA and Energy Department positions. Once they were in place, these cronies wasted no time in seeking to dismantle the environmental regulations prohibiting oil and gas drilling on Federal lands, withdraw from the Clean Power Plan, which is aimed at cutting U.S. greenhouse gas emissions, and revoke a moratorium on new coal leases.

There are other examples of influence by an American in modern political history but none so egregious as the Koch brothers in this administration.

Most recently, we saw their influence on the judiciary in suppressing votes. The Koch brothers are throwing a lot of money behind the nomination of judges who are poised to rule in their favor, undermining judicial precedence and the rule of law. Its network is helping Donald Trump stack the courts with far-right ideologues.

Donald Trump entered office with more than 100 vacancies on the Federal bench—an opportunity created in part by Senate Republicans who blocked many of Barack Obama's nominees before he left office. Judges enjoy lifetime appointments. If the Koch brothers succeed in rigging the judiciary against the needs of everyday Americans, the effects will be felt for generations to come.

Americans for Prosperity is also behind shameless efforts to suppress votes. It has launched disinformation campaigns, sending out bogus registration mailings with incorrect deadlines in swing States like North Carolina and Wisconsin. When challenged, Americans for Prosperity claims that these blatant lies were the result of clerical error.

Our Nation needs prosperity but not an influence-peddling organization that claims to be for prosperity but, in fact, leads to policy that undermines the prosperity of everyday Americans.

My reasons for opposing Mike Pompeo's nomination go well beyond the campaign contributions he has received. His views are contrary to American values. He has repeatedly devalued and dismissed religious tolerance. He has allied himself with anti-Islam and anti-LGBT groups. At a time when the environment our children will inherit hangs in the balance, he is a career-long climate change denier, drowning in dark money from the Koch brothers' oil industry. His regressive views on reproductive rights jeopardize the healthcare of millions of women around the world. If confirmed, he will be responsible for executing Donald Trump's misguided policies, and he will reinforce Donald Trump's misguided instinct, expanding, for example, the global gag rule that prevents foreign aid from being provided to global health programs that discuss or provide abortion services. He will cut programs covering everything from HIV prevention, to maternal and child health, to epidemic disease response, putting our lives at risk.

Money in politics has reached its apex in this administration, not only in politics but in government. Just within the last day or so, the President's Director of the Office of Management and Budget gave a speech to a group of bankers in which he said:

> We had a hierarchy in my office in Congress. If you were a lobbyist who never gave us money, I didn't talk to you. If you were a lobbyist who gave us money, I might talk to you.

That quote from Mick Mulvaney, the head of the Office of Management and Budget, was made to a group of about 1,300 bankers in plain view and hearing of the American public.

First, the idea that a lobbyist would have to pay in order to have access to a Member of Congress or his administration raises the potential of bribery, extortion, and perhaps pay-to-play. It is pay-to-play and the image of it that has so sullied this town and government in general that President Trump swayed so many people by describing it as a swamp. Well, the swamp has been deepened, and it has been further polluted by exactly this kind of talk.

I will say to Mick Mulvaney: You are destroying the credibility and trust of the American people and our honest colleagues, who come to work every day and try to help and serve the American people. Some of them still work in the Federal Government at high levels, in fear of losing their jobs because they adhere to a standard of integrity that no longer prevails.

In fact, the mindset and mentality of pay-to-play has become the new normal in this administration. It is filled with people at the highest levels who regard unbridled and unapologetic graft as the new normal. That is what that quote says to the average American.

It is typical of the practices of the Administrator of the EPA, who accepts virtually free lodging from a lobbyist who has access to him, as well as takes luxury flights and stays in exorbitantly expensive hotels at taxpayers' expense. Conflicts of interest, ethical violations, and other kinds of betrayal of the public trust have become commonplace at the top levels of the EPA.

It is the mindset of a President of the United States who literally every day accepts benefits from foreign governments and payment in violation of the U.S. Constitution, specifically in violation of the emoluments clause that prohibits such benefits and payments without the consent of Congress. Donald Trump has never come to the U.S. Congress seeking approval for the payments and benefits that go to the Trump Organization, which he still owns. That failure is a violation of the emoluments clause of the U.S. Constitution, and it is the reason that 200 of us Members of Congress have brought legal action to vindicate our trust and the trust of the American people that the Constitution will be followed and that we will do our job. We have standing to bring that action because the President of the United States is preventing us from reviewing those payments and benefits that go to him, which we have an obligation to review under the U.S. Constitution. That case will be heard in court in June.

I hope the courts will vindicate the rule of law. I hope we will see an end to this corrosive and corrupting impact of money in politics and money in government through a web of deceit and contempt for the rule of law that betrays the trust of the American people.

The Washington, DC, that is conveyed by these quotes and actions by officials at the very top of our government are not my Washington. They are not the Washington, DC, of many of our colleagues—honest and hard-working in this Chamber, in the House of Representatives, and in the executive and judicial branches—who continue to do their job. Among them are two of our colleagues: JOHNNY ISAKSON and JON TESTER.

Senator ISAKSON of Georgia and Senator TESTER of Montana have helped to lead the Veterans' Affairs Committee over the past few days as it raises concerns and questions about the serious allegations made by men and women in uniform or retired Active-Duty military. These concerns go directly to the ethics and integrity and character and ability of the President's nominee to be VA Secretary, Ronny Jackson, a rear admiral in the U.S. Navy. There is no realistic path at this point to confirmation of Admiral Jackson. He should have a hearing if he wishes. He should be considered if he chooses. But the administration owes the American people, as well as the Senate, answers to questions raised by the chairman and ranking member of the VA Committee. I have talked to both of them, as well as the staff, about this investigation, and I have participated in their thinking and support their efforts to uncover the truth. Facts are stubborn things. That is what Ronald Reagan said. It remains true even more so today in this inquiry.

The administration has failed to vet this nomination. It failed abjectly to uncover the truth before it submitted this nomination. It owes the truth and the facts now to the Senate before there is any hearing. Documents and evidence should be provided, and the administration should reverse course, if necessary, and make sure that full access is provided to all of these documents and evidence.

As recently as yesterday, members of the VA Committee were barred from viewing the FBI background check. The Inspector General's report of 2012 on Rear Admiral Jackson was not provided to our committee, and other relevant evidence and documents may exist, but they have been denied.

I urge the administration to provide the facts, respond to the questions, and address the serious allegations that have been made, because they are consistent and credible and compelling. The more time goes on, the more serious and substantial these allegations become in their detail and depth and power. Time is not on their side, and so far, the administration has abjectly failed to respond.

I thank Senators Isakson and Tester for their leadership and for their insistence on integrity and character because our veterans deserve it. Most importantly, our veterans deserve the very best leader, not one who will be encumbered by the baggage of allegations, unrefuted and unrebutted so far. Our veterans deserve the very best in healthcare and employment opportunities and skill training. Our veterans deserve that we keep faith with them and choose the very best leader, with experience in management, as well as a commitment to the high standards of integrity that befit the Veterans' Administration. It has seen problems. It needs improvement and reforms. The path forward for the VA is with a person and a leader who has unimpeachable integrity.

I thank Senator ISAKSON and Senator TESTER for their leadership and insistence on that high bar in the Veterans' Administration for the sake of our veterans.

Thank you, Mr. President.

I yield the floor.

## 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 7:31 p.m., adjourned until Thursday, April 26, 2018, at 9:30 a.m.

# EXTENSIONS OF REMARKS

## PROMOTION TO THE RANK OF LIEUTENANT COLONEL

### HON. TREY GOWDY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. GOWDY. Mr. Speaker, I include in the RECORD the following Proclamation in recognition of Bobby J. Cox, United States Army, and to congratulate him on his promotion to the rank of Lieutenant Colonel.

Whereas, Lieutenant Colonel Cox graduated from The Citadel, The Military College of South Carolina in 2002. As a senior he was tasked with the responsibility of leading the Corps of Cadets as the Regimental Commander and earned the distinction of a ''Distinguished Military Graduate''.

Whereas, upon graduation, Lieutenant Colonel Cox commissioned as a 2nd Lieutenant in the United States Army and would complete both Ranger and Airborne School. He served four combat tours in Iraq as a member of elite units; such as, the 101st Airborne Division, 82nd Airborne Division and the 75th Ranger Regiment of the U.S. Army Special Operations Command.

Whereas, for his service in the Army, Lieutenant Colonel Cox was awarded the Bronze Star Medal, three Meritorious Service Medals, four Army Commendation Medals, four Army Achievement Medals, and the Military Outstanding Volunteer Service Medal. In addition, he was awarded the Combat Infantryman's Badge for successfully leading his unit into direct contact with enemy forces.

Whereas, Bobby J. Cox continues to serve his country in the U.S. Army Reserve and was promoted to the rank of Lieutenant Colonel on October 18, 2017. Be it

*Resolved*, That I, Trey Gowdy, do congratulate Lieutenant Colonel Bobby J. Cox, his wife Joscelyn, their two children, Reagan and Seth for their unwavering commitment and continued service to our great nation and thank them for their unwavering loyalty, dedication, and contributions to the Fourth Congressional District of South Carolina.

## PAYING TRIBUTE TO DR. ALAN GOODWIN, PRINICIPAL OF WALT WHITMAN HIGH SCHOOL, BETHESDA, MARYLAND, ON HIS RETIREMENT

### HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. RASKIN. Mr. Speaker, I rise today to honor an outstanding educator and beloved community leader, Dr. Alan Goodwin. Dr. Goodwin currently serves as Principal of Walt Whitman High School in Bethesda, Maryland, and is retiring after 43 years in the Montgomery County Public School System (MCPS). The people of Maryland's 8th district, especially those who live within the Walt Whitman community, will be forever grateful for Dr. Goodwin's great contributions and steadfast commitment to our students and to our community.

Dr. Goodwin began his career as an English teacher in 1975 and was immediately recognized for his ability to inspire students to challenge complacency and apathy and take charge of their own destinies. He was nominated for the prestigious Outstanding Teacher Award and led dozens of his colleagues as head of the English Department. Since leaving the classroom, Dr. Goodwin served MCPS as an assistant principal, a middle school principal, and finally principal of one of the top rated high schools in the United States, Walt Whitman, a school which honors its namesake with creativity, compassion and hard work.

Principal Goodwin has been an instrumental force in creating positive changes in the school district, thereby bringing out the very best in our students. Holding a Ph.D. in Curriculum and Instruction and possessing decades of experience as an educator and administrator, Dr. Goodwin waved off higher administrative posts where he could have worked less and made more. Instead, he opted to stay in a role where he could maintain day-to-day interaction with his students, or as he refers to them, his ''kids,'' stating, ''they make a difference for me every day.''

Principal Goodwin's unwavering dedication to his students and to his excellent teaching staff is legendary, and has resulted in multiple nominations by Bethesda Magazine as the ''Best Public High School Principal.''

Dr. Goodwin has seen tremendous triumphs for the Whitman community. Walt Whitman High School was routinely listed by U.S. World News and Report as one of the top high schools in the nation throughout Dr. Goodwin's tenure.

He has also led the school through difficult times, helping students, staff and community weather devastating losses and tragedies that have shaken the Viking community. Recognizing the resiliency of the community, the Whitman baseball program has dedicated its 2018 season to ''Whitman Strong,'' a rallying cry used to bolster the school community in the wake of terrible events resulting in the loss of two students this past fall.

On the occasion of Walt Whitman High School's 2018 Baseball Program Community Night, I am honored to join Vikings Head Coach Joe Cassidy and the entire school community in paying loving tribute to Dr. Goodwin for his years of service and his profoundly passionate dedication and commitment to the students of Walt Whitman High School.

## FRENCH-AMERICAN RELATIONS

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. POE of Texas. Mr. Speaker, as President Emmanuel Macron continues his visit to the United States, I would like to acknowledge the shared sacrifice of his nation and ours during the First World War.

President Macron graciously brought with him a sapling from the Belleau Wood, the site of the first battle in World War I where American generals commanded troops in the field. The American forces overwhelmed their adversaries and helped the Allied forces win the day. The U.S. Marines were the toast of Paris, having provided a key spark to the Allied maneuvers in the battle. The nickname they gained from their actions in battle, ''Teufelhunde'' or ''Devil Dogs,'' lives on today.

Some Americans were already in France, voluntarily joining the fight to defend France and her allies. Thirty-eight American pilots formed the Lafayette Escadrille, a squadron of the French air service that saw action at the Battle of Verdun and other notable engagements of the war, and more than 200 additional Americans served in other French squadrons. Informally referred to collectively as the La Fayette Flying Corps, these American aviators voluntarily served the French people in the same spirit as the Marquis de Lafayette did for the 13 colonies in the Revolution. Many of these pilots were not much older than the 19-year-old Lafayette when he first landed on American soil yet still made a significant contribution to the defense of France in World War I.

Mr. Speaker, the United States and France have risen to each other's defense throughout history because we share the values of liberty and freedom, and we will continue to stand by our French allies in promoting these values at home and around the world.

And that's just the way it is.

## PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for Roll Call votes 148 and 149 Tuesday, April 24, 2018. Had I been present, I would have voted Yea on Roll Call votes 148 and 149.

## CONGRATULATING ADIRONDACK WINERY ON ITS 10TH ANNIVERSARY

### HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize Adirondack Winery on its 10th anniversary.

Adirondack Winery has been a staple attraction of Warren County since it opened in 2008, when owners Mike and Sasha Pardy moved back to the area to open Warren County's first and only winery in Lake George. The married couple created a unique micro-winery, making wine in the back of their store from grapes sourced from multiple outside vineyards, a model that has proven its success. The winery started with only the Pardys and three part-time workers, and over the past 10 years has grown to approximately 40 employees. Adirondack Winery moved its winemaking headquarters to Queensbury and in addition to its original Lake George Tasting Room, opened a second Tasting Room in Bolton Landing.

Adirondack Winery is truly loved by Warren County residents, visitors, and many across the country. They produce 17,000 cases of wine annually, and now ship to 35 states. It is easy to see why Adirondack Winery has gained such popularity. Adirondack Winery embraces and celebrates the North Country's beauty and is known for its trademark fruit-infused wines, diverse wine selection, and beautiful photography of the Adirondacks on its labels. Not surprisingly, Adirondack Winery has won more than 180 medals at competitions as well as TripAdvisor Certificates of Excellence and awards voted on by local residents.

On behalf of New York's 21st District, I want to congratulate Adirondack Winery on its 10th anniversary. Adirondack Winery exemplifies the North Country determination and spirit, and I look forward to watching the Pardy family business continue to flourish in the years to come.

## PERSONAL EXPLANATION

### HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. POSEY. Mr. Speaker, my return flight to Washington, D.C. was canceled due to mechanical problems, and I was unable to attend the legislative session on April 24, 2018.

Had I been present, I would have voted YEA on Roll Call No. 148, and YEA and Roll Call No. 149.

## SAMUEL SCHWARTZ—WWII VETERAN

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. POE of Texas. Mr. Speaker, there is an old saying, good friends are God's way of taking care of us. Samuel Schwartz, a veteran of the Second World War knew this was true of his good friend, James Linton.

On April 2, 2018, Sam died at the age of 94. Full of laughter and stories from the past, James knew that Sam's time was coming to an end. Sam had no living family members when he died, and James knew he couldn't let his friend take his final breaths alone. Sitting with Sam through his final days, James provided good company, even holding his hand when he took his final breath.

Samuel was an accomplished man, both in the service and in his long career in business. He enlisted in the Marine Corps one year after Pearl Harbor, and served as part of the American Invasion Force, taking part in the invasion and defense of four islands in the Pacific. He rose to the rank of Technical Sergeant, but perhaps his most significant accomplishment in the Marine Corps was meeting Elaine Hinrichs, a member of the Marine Corps Women's Reserve who would become his bride of 60 years before her passing in 2009.

Sam went on to have a 20-year career with Ardan's Catalog Showrooms, eventually leaving as the company's Chief Executive Officer. He later served as president for Whitmark Catalog Showrooms and the Zondervan Company's Bible publishing consumer group, where he landed motivated by his lifelong Christian faith. Above all, he was a caring friend and a faithful husband.

With no living family, James feared that Sam's funeral would be sparsely attended. Such a funeral simply would not properly honor Sam's life and legacy. Thus, he sent out an open invitation, hoping that a handful of others would attend.

In the following days, several groups and individuals answered James' call. Several veterans groups, including the local American Legion Post and the Veterans of Foreign Wars attended the funeral at Graceland Cemetery in Grand Rapids, Michigan. Members of the Patriot Guard Riders provided a line of American flags for Sam's casket to be carried through, and members of the Kent County Veterans Honor Guard performed the three-volley salute.

Several active duty servicemen from multiple branches attended, including two Marines who presented a folded flag to James. Dozens of strangers, having seen James' message, also showed up to pay their respects to the World War II Marine Corps veteran.

Our World War II veterans represent the greatest generation. In the words of President Harry S. Truman, ''Our debt to the heroic men and valiant women in the service of our country can never be repaid. They have earned our undying gratitude. America will never forget their sacrifices.'' James Linton made sure his friend's sacrifice for this country would not go unnoticed. Samuel Schwartz and James Linton demonstrate the true meaning of friendship.

And that's just the way it is.

## COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES ARMY AND OUR COMMUNITY SALUTES OF FREDERICKSBURG, VIRGINIA FOR HOSTING THE SEVENTH ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the 24 Frederick, Virginia area high school seniors who plan to enlist in the United States Army after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Army.

James Bradley; Edward Brown; Wesley Carter; Ashley Corker; Keat Cross III; Destiny Dunbar; Oscar Espinal; Daniel Ferguson; Dylan Fink; Ethan Frietze; Patrick P.J. Giannone; Canaan Grover; Elizabeth Jackson; Matthew Leitch; Chandler Long; Tylik Lucas; Austin Luck; Seth Raiford; Spencer Rasor; Jacob Riddle; Tyler Ryals; John Santoro; Shiyonna Shepherd; Clay Wilson.

These students will be honored by the Greater Fredericksburg Chapter of Our Community Salutes at their 7th Annual Military Enlistee Recognition Ceremony on Saturday, May 5, 2018 at the University of Mary Washington in Fredericksburg, VA.

Mr. Speaker, I ask colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

## PERSONAL EXPLANATION

### HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. SCHIFF. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 148 and YEA on Roll Call No. 149.

## INNOVATORS TO ENTREPRENEURS ACT OF 2018

SPEECH OF

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2018*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 5086, the ''Innovators to Entrepreneurs Act.'' Congressman LIPINSKI's legislation makes crucial investments in business literacy by requiring the Director of the National Science Foundation (NSF) to develop an I-Corps course to support commercialization-ready innovation companies.

The I-Corps program helps scientists and engineers to extend their focus beyond the

university laboratory and accelerates the economic and societal benefits of NSF-funded basic-research projects that are ready to move toward commercialization. Once a team completes an I-Corp course and wants to introduce their product to the markets, they're left to form and develop a business plan without any prior training or knowledge. However, not all scientists and engineers have the proper educational background to create and run a successful business and many fail in the early stages. In. response, the NSF created "I-Corp Go" to teach business skills that are essential and fundamental to a company's success. After the program's initial success, H.R. 5086 was introduced to make it a permanent addition to the I-Corp program.

As a representative of Atlanta, a place where hundreds of small businesses seek to compete with large corporations, this legislation is near and dear to my heart. H.R. 5086 will provide constituents in my district and new innovators with access to high quality educational opportunities and I support this legislation.

## CAPTAIN TAMMIE JO SHULTS

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. POE of Texas. Mr. Speaker, New Mexico High School senior Tammie Jo Shults dreamed of becoming a pilot. As a child, she had watched planes from nearby Holloman Air Force Base practice combat maneuvers in the sky above the ranch where she grew up. Her dream motivated her to attend a lecture on her high school's career day put on by a retired military pilot.

The only obstacle to fulfilling her dream, however, was not her lack of ability but, rather, her gender. Upon entering the room, the retired colonel asked her if she was lost. When she replied that she was there because she was interested in flying, he informed her that there were no professional pilots.

After college, this hurdle manifested itself again and again, as Shults found herself denied from joining the Air Force as a pilot, even though her brother was accepted. She finally broke into the Navy, but as a woman, she was not allowed to fly combat missions.

Nevertheless, Shults's persistence paid off, becoming one of the first women to fly the F/A–18 Hornet, the Navy's premier strike aircraft at the time. She rose to the rank of Lieutenant Commander before retiring. She helped prepare Naval aviators for Operation Desert Storm by flying training missions as an enemy aircraft.

All of these accomplishments and her stellar career as a commercial pilot for Texas-based Southwest Airlines distinguish her as a one of Americas best, but her actions as pilot of Flight 1380 from New York to Dallas have made her a household name.

Shortly after takeoff, the engine on the left side of Shults's aircraft exploded, and shrapnel broke through one of the plane's windows, causing the cabin to abruptly depressurize. Panic ensued on board, as one passenger was partially sucked out of the aircraft, but Shults remained cool and collected.

She informed air traffic control of the plane's situation, and when asked about the engine, she matter-of-factly replied, "No it's not on fire, but some of its missing. They said there's a hole, and uh, someone went out." Mr. Speaker, try saying that without trembling.

Shults made an emergency landing in Philadelphia, and while one passenger sadly died from the injuries sustained in the accident, the other passengers and crew members exited the aircraft on the ground unharmed.

Mr. Speaker, Shults and her crew saved 148 lives. Women like Shults are exemplary examples of Americas veterans, always answering the call to duty and service. If there's anyone that we want in the cockpit during a crisis, it's Tammie Jo Shults.

And that's just the way it is.

## COMMEMORATING THE 60TH ANNIVERSARY OF THE NORTH AMERICAN AEROSPACE DEFENSE COMMAND

### HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. LAMBORN. Mr. Speaker, two thousand eighteen marks the 60th anniversary of the creation of the North American Aerospace Defense Command, commonly referred to as "NORAD." The United States and Canada, bound together by our history, our values, our economy, our environment, and our resolve to improve the lives of our citizens, have long enjoyed a close relationship that has allowed for continuous collaboration building a prosperous future for the people of both countries. The United States and Canada have stood shoulder to shoulder in defense of security for more than 100 years, as partners and allies in World War I, World War II, the Korean War, throughout the Cold War, in Afghanistan, and as part of the Global Coalition against Daesh; working together to advance our shared values.

As indispensable allies in the defense of North America, on May 12, 1958, the United States and Canada signed an official agreement creating the bi-national North American Aerospace Defense Command and formally acknowledged the mutual commitment of both countries to defend their citizens from air domain attacks. This cooperation is an important element of United States and Canadian contributions to the collective defense provided by the members of the North Atlantic Treaty Organization.

The North American Aerospace Defense Command enjoys a unique status as the only fully integrated bi-national military command. The North American Aerospace Defense Command is headquartered at Peterson Air Force Base, Colorado Springs, Colorado, with three subordinate region headquarters located at Elmendorf Air Force Base, Alaska, for the Alaskan NORAD Region (ANR); Tyndall Air Force Base, Florida, for the Continental NORAD Region (CONR); and Canadian Forces Base Winnipeg, Manitoba, for the Canadian NORAD Region (CANR), along with three subordinate sector command centers at Joint Base Lewis-McChord, Washington, for the Western Air Defense Sector (WADS); Rome, New York, for the Eastern Air Defense Sector (EADS); and Canadian Forces Base North Bay, Ontario, for the Canadian Air Defense Sector (CADS).

The missions of the North American Aerospace Defense Command are to provide aerospace warning, aerospace control, and maritime warning to defend North America. The North American Aerospace Defense Command and the United States Northern Command current operations center is connected to a worldwide system of sensors that provides the Commander of the North American Aerospace Defense Command with a common operating picture of aerospace and maritime threats.

The Cheyenne Mountain Air Force Station hosts the Alternate Command Center for the North American Aerospace Defense Command and United States Northern Command. The Commander of the North American Aerospace Defense Command provides integrated tactical warning and attack assessments to the Government of the United States and the Government of Canada.

The North American Aerospace Defense Command uses a network of space-based and ground-based sensors; airborne radars, fighters, and helicopters; and ground-based air defense systems to detect, intercept, and, if necessary, engage air domain threats to North America.

The May 2006 renewal of the North American Aerospace Defense Command Agreement added a maritime warning mission to the slate of responsibilities of the Command, which entails a shared awareness and understanding of the ongoing activities conducted in United States and Canadian maritime approaches, maritime areas, and inland waterways.

The North American Aerospace Defense Command provides continuous surveillance and defense of North American airspace from further airborne aggression or attack, as occurred on September 11, 2001, through the ongoing Operation NOBLE EAGLE mission. The North American Aerospace Defense Command will continue to evolve to address the ever-changing nature of the threats to North America and adapt to future shared security interests.

The outstanding service of United States and Canadian service members from Active Duty and Reserve Component forces and civilians serving at the North American Aerospace Defense Command is central to the ability of North America to confront and successfully defeat aerospace threats of the 21st century. The continuation of this successful relationship between the United States and Canada through the North American Aerospace Defense Command is paramount to the future security of the people of the United States and Canada.

Today, we therefore recognize the contributions made by the North American Aerospace Defense Command to the security of North America, commemorating 60 years of excellence and distinctive service by the men and women of the North American Aerospace Defense Command, reaffirming the critical missions of the North American Aerospace Defense Command headquartered at Peterson Air Force Base, Colorado Springs, Colorado, and supporting the role of the North American Aerospace Defense Command in providing bi-national defense of the United States and Canada in the 21st century.

## RECOGNIZING HAROLD BLATTIE

### HON. GREG GIANFORTE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. GIANFORTE. Mr. Speaker, I rise today to recognize Harold Blattie, the executive director of the Montana Association of Counties. After more than 15 years serving MACo and more than 40 years as a public servant, Harold Blattie will retire in May.

Mr. Blattie's public service has crossed the paths of many Montanans. In 1975, he was elected to serve on the local school board which he did until 1995. He also served his community as a volunteer firefighter, in local organizations, and on the board of the local electric cooperative.

Mr. Blattie became involved with MACo in 1995 as a commissioner in Stillwater County. He began serving as MACo's assistant director in 2002, and three years later, became executive director. Throughout his time with MACo, Mr. Blattie has been an ardent advocate of the association's goals and vision.

Under his leadership, the organization has grown its staff from 10 to 40. MACo is strong, diverse, capable, and influential. Harold Blattie may have lost a lot of sleep along the way, but he has inspired generations of Montanans committed to serving their communities.

Today, I honor Harold Blattie for his dedication to public service and his tireless defense of our Montana way of life.

## PERSONAL EXPLANATION

### HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. SEWELL of Alabama. Mr. Speaker, during Roll Call votes held on April 25, 2018, I was inescapably detained handling important matters related to my District and the State of Alabama. If I had been present, I would have voted YES on the Motion to Recommit H.R. 3144, NO on final passage of H.R. 3144, and I would have voted YES on final passage of H.R. 5447.

## CONGRATULATIONS ON THE HARD WORK AND ACHIEVEMENTS OF THE MIDDLE TENNESSEE STATE UNIVERSITY BLUE RAIDER DEBATE TEAM

### HON. SCOTT DESJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. DESJARLAIS. Mr. Speaker, I rise today to recognize the achievements and hard work of the Middle Tennessee State University debate team.

The team has achieved great success, the likes few have rivaled in the MTSU debate team's long history. While recently in Spokane, Washington, the team placed first in the varsity division, and earned the top season-long award in the team International Public Debate Association format. This year's team has earned five top national awards, a regional title, two state titles, and a total of 148 awards in this season alone.

Today I applaud the 25 dedicated students who make up the Blue Raider Debate Team. These young men and women of all backgrounds coming together to work as a team to accomplish a common goal, serves as an excellent example for all of us. Congratulations to Middle Tennessee State University and the Blue Raiders Debate Team for representing not only their school, but the 4th district of Tennessee in a first-class manner.

## HONORING MRS. GLORIA DURAN

### HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. SÁNCHEZ. Mr. Speaker, I rise today to honor the life of a champion for children, education, and the LGBTQ community from my Southern California district. Mrs. Gloria Duran passed away March 12, 2018 at the age of 80 after a lifetime of service to the local area. Gloria grew up in Silver City, New Mexico until moving to California. She ultimately made Santa Fe Springs, California per home. Ms. Duran began her career in education as a secretary at Los Nietos Middle School and committed her life to the betterment of the education system, serving as a member of the Los Nietos School Board for 16 years, with unending verve and dedication.

Ms. Duran was a dynamic, energetic woman who fought with passion for the children and seniors she served. Her activism and drive led her from den mother to Chair of the Santa Fe Springs senior citizens advisory committee and membership in the Los Angeles County Commission for Older Adults. She went to great heights, quite literally, to raise money for HIV/AIDS research by jumping out of a plane while in her sixties with her son John Duran. There was no mountain too high for Gloria to climb if it meant making her community a better place.

Gloria Duran was a shining example of what dedicated people can do for their community. While I know the pain of losing such a strong leader will run deep, I hope her family and friends will be comforted by the outpouring of love and fond memories of Gloria's lifetime of service. May her legacy live on and inspire others to serve.

## TRIBUTE TO STATE REPRESENTATIVE KATHY RICHARDSON FOR HER SERVICE TO INDIANA

### HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the retirement of Kathy Richardson from the Indiana State House of Representatives after 25 years. For more than two decades, Representative Richardson served her constituents in Indiana's 29th district with distinction. On behalf of Indiana's Fifth District, we are forever grateful for her contributions to our community and the State of Indiana.

Representative Kathy Richardson is a lifelong Hoosier. Born and raised in Hamilton County, Kathy graduated from Noblesville High School in 1974. She began her career in public service working in the Hamilton County Clerk's office filing traffic tickets at the age of 19. She eventually worked her way up to Deputy Clerk, and was elected Hamilton County Clerk in 1982. In 1992, when few women ran for state offices, Richardson was successfully elected to the Indiana State House, representing the 29th district. Kathy continued to work with the Hamilton County Clerk's Office as the Election Administrator for Hamilton County. While serving as Indiana's 29th Representative, Kathy has continued her service with the Clerk's Office.

A born leader, Kathy has stood out among her peers. During her time in the Indiana General Assembly, she served as an elected member of the House Republican leadership. Kathy broke barriers as Republican Caucus Chair, becoming the first woman in Indiana's history to serve in an elected caucus leadership. As Caucus Chair, Kathy guided members and staff in making legislative decisions, while spearheading caucus meetings. Kathy also served on the Elections and Apportionment and Legislative Council, where her years of experience and knowledge brought a high degree of leadership and success.

Kathy's leadership created long lasting, positive change in the State of Indiana. During her tenure, Kathy partnered with Governors Mitch Daniels, Mike Pence, and Eric Holcomb to deliver balanced budgets, lower taxes, and bring jobs to the state. In 2011, Kathy was influential in drawing new redistricting maps for the Indiana House, Senate, and Congressional Districts to reflect the changes in Census data. As a prominent member of the House Elections Committee, Kathy was a crucial contributor to several of Indiana's election reform initiatives. Her guidance and no-nonsense leadership style throughout the process was instrumental in its passage. Kathy was influential in the creation of the Hamilton County Youth Assistance program in Westfield, which works with youth who are at risk prior to entering the courts system. Due to her leadership, and the program's success, it is now being replicated in other communities around the State of Indiana.

Kathy's lifetime of service to her community has been invaluable not only to her district but to the entire state of Indiana. Thanks to work on the economy and job creation, Indiana continues to be a great place to live and do business. Kathy's hard work and invaluable leadership helped make the Indiana General Assembly successful for so many years. On behalf of all Hoosiers, I wish to extend a heartfelt thank you to Representative Richardson for her lifetime of service. I wish the very best to Kathy, her husband Perry Williams as well as the rest of her family as she moves into the next phase of her career in public service.

## RECOGNIZING BAY COUNTY JAIL ASSISTANT WARDEN FRANK OWENS ON HIS RETIREMENT

### HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. DUNN. Mr. Speaker, I rise today to recognize the Assistant Warden of the Bay County Jail, Frank Owens and congratulate him on the occasion of his retirement. Assistant Warden Owens began his career in law enforcement in 1968, but his love and respect for law enforcement began many years before that. Over the years he has worked in Tallahassee and Georgia, before choosing to settle down in Bay County in 2006.

Mr. Owens dedicated his life to law enforcement—50 years to be exact—it's what makes him happy. Every day he wakes up, he is excited to go to work. For Frank Owens, serving in law enforcement was never just a job, it was a calling.

Mr. Speaker, please join me in saying thank you to the Assistant Warden of the Bay County Jail, Frank Owens and his family, for their years of service and sacrifice, and wish them luck as they move on to enjoy a new chapter in life.

## HONORING THE SERVICE OF NANCY KENYON

### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of Nancy Kenyon for her stellar leadership and exemplary public service as the founder and former executive director of Fair Housing of Marin, which is now Fair Housing of Northern California.

In 1963, Ms. Kenyon joined the Fair Housing Council of Northern New Jersey, where she served for 12 years and rose to the rank of Housing Director. During this period, she led a number of initiatives, including the creation of a funding stream by U.S. Department of Housing and Urban Development to support efforts by fair housing organizations to end discriminatory housing practices, now known as the Fair Housing Initiative Program. She also supervised housing projects for the Ford Foundation and served as a training consultant for the States of New York and New Jersey.

In 1979, she moved to California to assume the position of Researcher of the Special Contribution Fund of the San Francisco Chapter of The National Association for the Advancement of Colored People (NAACP). Her research in this role helped the NAACP to successfully argue that the San Francisco Unified School District violated federal law in its maintenance and creation of a racial segregated school system, and she helped establish a citywide lottery affording every child regardless of race, color, national origin, or class the right to attend the most prestigious schools in the district.

In 1984, Ms. Kenyon returned to her roots in enforcing fair housing laws and founded Fair Housing of Marin, where she would serve as Executive Director until her retirement in 2012. Under her leadership, Fair Housing of Marin grew from two part-time staff operating in a spare bedroom to a staff of 10 serving communities in Marin, Sonoma and Solano Counties.

Ms. Kenyon's quest for fair housing has also been expressed in several published articles she authored, and her powerful advocacy has been recognized with numerous awards, most notably the 2005 National Pioneer of Fair Housing Award, and the Human Rights Award from the United Nations Association in Northwest Bergen County, New Jersey.

Mr. Speaker, Ms. Kenyon is a respected leader and dedicated champion for equity. Please join me in expressing my deep appreciation and praise for her national leadership as Fair Housing of Northern California honors her as part of a celebration of the 50th anniversary of the Fair Housing Act.

## COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES NAVY AND OUR COMMUNITY SALUTES OF FREDERICKSBURG, VIRGINIA FOR HOSTING THE SEVENTH ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the 47 Frederick, Virginia area high school seniors who plan to enlist in the United States Navy after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Navy.

Hakeem Allen; Alejandro Ambrizrodriguez; Robert Ammen; Gregory Andrews; Patrick Ayala; Arlice Baker; Johannes Booysen; Kole Cacho; Joshua Campbell; Bobbie Dube; Nakita Dubrovin; Schaylene Liam Durso; Alexander Eshoo; Daeshawn Gallaway; Lauren Gruber; Stephen Guyton; Marcus Jomah; Allen Jones; Catherine Keller; Jacob Layton; Riley Lemison; John Lipscomb; Devin Majean; Austin Martin; Christopher Martin; James McCulloch; Tyler McElroy; Cole Minicucci; Ronnie Norton; Maria Pavon Bonilla; Emma Pierce; Hunter Rankin; Zachary Resch; Morgan Rizzo; Candace Romagna; Preston Short; Christopher Smith; Kyle Staymates; Dante Stephens; Zoltan Szombathy; Brianna Thompson; Noah Thompson; Brandon Tolbert; Dominic Traver; Nicholas Willging; Ethan Williams; Zoe Williams.

These students will be honored by the Greater Fredericksburg Chapter of Our Community Salutes at their 7th Annual Military Enlistee Recognition Ceremony on Saturday, May 5, 2018 at the University of Mary Washington in Fredericksburg, VA.

Mr. Speaker, I ask colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

## JUSTICE FOR UNCOMPENSATED SURVIVORS TODAY (JUST) ACT OF 2017

SPEECH OF

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 24, 2018*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of S. 447, the Justice for Uncompensated Survivor Today (JUST) Act of 2017.

This legislation directs the Department of State to report annually on progress certain European states have made to restore land and possessions stolen during the Holocaust, with the intent of encouraging justice worldwide for Holocaust victims.

Eight years ago, forty-six countries vowed in the Terezin Declaration on Holocaust Era Assets and Related Issues to facilitate the return of property and possessions stolen from Holocaust Victims. Regrettably, not every country has expediently honored their promises to support the restoration of stolen items and address the claims of survivors. This bipartisan legislation will use the United States' considerable international influence to encourage all participating states to create and implement policies that will quickly restore the possessions that were taken from the Jewish citizens of Europe.

The victims of the Holocaust experienced immeasurable and unimaginable suffering, and I am committed to providing all possible assistance in restoring what was stolen from them. S. 447 is an excellent tool to ensure the process of returning items and property is more efficient and it encourages all members of the Terezin Declaration to act with the urgency they agreed to eight years ago.

## CELEBRATING THE OPENING OF M.S. CHADHA CENTER FOR GLOBAL INDIA

### HON. RAJA KRISHNAMOORTHI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. KRISHNAMOORTHI. Mr. Speaker, I rise today to celebrate the opening of the M.S. Chadha Center for Global India at Princeton University. A welcome and timely addition to a world-class university, the M.S. Chadha Center will bring together scholars and students from all backgrounds to explore and understand the complex social and political forces that shape modern India.

With a population of 1.3 billion people, a vibrant and dynamic economy, a rich culture, and home to the world's largest democracy, it is no surprise that India exerts a powerful influence on world affairs. However, there is a dearth of scholarship dedicated to exploring the intricate history and traditions that inform contemporary Indian culture. Princeton University, with its long tradition of rigorous academic research and scholarship, is the perfect setting for a center dedicated to illuminating

the amazing transformation of the Indian subcontinent from an agricultural-based economy to a leader in global innovation, information technology, design, and manufacturing.

The M.S. Chadha Center for Global India was made possible in large part by a gift from the Princeton Class of 1993, spearheaded by Princeton alumnus Sumir Chadha. The center is named after Mr. Chadha's grandfather, a renowned physician and former Director General of Health Services in India. I would also like to take this opportunity to salute the other sponsors of this project for recognizing its importance, and for supporting it.

I will be traveling to Princeton University this weekend to attend the grand opening of the M.S. Chadha Center for Global India, and congratulate the generous men and women whose efforts contributed to the launch of this new and exciting endeavor at Princeton. I look forward to attending the ceremony, and salute the university's faculty, administration and board of trustees for their dedication to cultivating a deeper understanding of the Indian contribution to our world, and to our national mosaic of cultures and ideas.

## CELEBRATING THE 120TH ANNIVERSARY OF ROSWELL PARK COMPREHENSIVE CANCER CENTER

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. HIGGINS of New York. Mr. Speaker, I rise today to recognize the celebration of the Roswell Park Comprehensive Cancer Center's 120th Anniversary. A time capsule will be buried on April 25, 2018 to commemorate this momentous occasion at Roswell Park's campus in Buffalo, New York. The capsule will remain sealed until the year 2118.

Included in this time capsule along with contributions from many others from the Western New York community will be a copy of this extension of remarks presented alongside a speech I delivered on the Floor of the House of Representatives last week calling for the continuation of Roswell Park's distinguished standing as a National Cancer Institute designated comprehensive cancer center.

Doctor Roswell Park gave the world cancer research when he opened as the first dedicated cancer center in 1898, and this esteemed facility has been contributing to our understanding of cancer and pioneering treatments ever since.

For 120 years Roswell Park has been recognized nationally for its groundbreaking work in the fight against cancer. That same confidence is felt by people here in Western New York who walk through those doors every day knowing that Roswell Park is the home of compassionate cancer experts who care for those afflicted with cancer.

Roswell Park gave the world the first preclinical chemotherapy program, the prostate-specific antigen test, and it is collaborating today with Cuba on a promising new lung cancer vaccine. New clinical trials to treat metastatic breast cancer and immunotherapy are occurring there today.

Today's discoveries provide great hope for the future of cancer prevention and treatment. While it is uncertain what cancer care will look like 100 years from now, it is certain that Roswell Park Comprehensive Cancer Center will be leading the way.

Mr. Speaker, I thank you for allowing me this time to recognize the great influence that Roswell Park Comprehensive Cancer Center has had not only in the great city of Buffalo, but throughout the nation. It is an honor to celebrate this anniversary today.

## CELEBRATING THE BIRTHDAYS OF GEORGE A. VALLONE AND MARY ''DIXIE'' VALLONE

### HON. JOSH GOTTHEIMER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. GOTTHEIMER. Mr. Speaker, I rise today to celebrate two very special birthdays in North Jersey, George A. Vallone and Mary ''Dixie'' Vallone.

George A. Vallone, who was born on June 18, 1920, is a World War II Army veteran who served in an anti-tank division in North Africa. Later, George served in Rome as a Technical Sergeant working for the Allied Theater Commander. After returning home from the war, George continued to serve his community as the Co-Chair of the New Jersey Citizens for Property Tax Reform and as the President of the Sussex County Senior Citizens Presidential Council. George's work to better the country he loves so dearly is a testament to his patriotism. I ask my colleagues to join me in recognizing George's selfless sacrifices.

Additionally, Mary ''Dixie'' Vallone, who was born on March 8, 1929, has been an active member in the Sussex County community for decades. Mary is an award-winning crafter, winning several Blue-Ribbon awards at our local Sussex County Fairs. Mary has been a devoted wife and mother for nearly seventy years. Residents like Mary are what makes North Jersey such a special place to live.

George and Mary, happy birthday. I wish you both good health and happiness for years to come.

## HONORING THE 50TH ANNIVERSARY OF THE OAKLAND ATHLETICS

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. LEE. Mr. Speaker, I rise today to celebrate the 50th anniversary of the establishment of the Oakland Athletics baseball team.

While the team's history extends back all the way to 1901, when it was founded in Philadelphia as one of the charter baseball clubs of the new ''American League'', this year marks 50 years since the team recognized the potential of Oakland and the East Bay, and moved west in 1968.

That year on April 17th, the team played its first game in front of more than 50,000 fans at the Oakland Coliseum, and quickly put together a championship dynasty. Led by Hall of Famers Reggie Jackson, Catfish Hunter, and Rollie Fingers, the ''A's'' became World Series champions during three consecutive years: 1972, 1973, and 1974.

During the 1980's, beginning with manager Billy Martin's ''Billyball'' system, the A's found new success and developed stars such as hometown heroes Ricky Henderson and Dave Stewart, and Dennis Eckersley. In 1989, the A's won the ''Battle of the Bay'' World Series in a four-game sweep against the San Francisco Giants. Game 3 of that series was interrupted by the Loma Prieta earthquake—which claimed the lives of 39 people in Oakland and caused the series to be delayed for 10 days while both cities recovered.

Breaking tradition, the A's decided against a victory parade out of respect for those impacted by the earthquake.

Following an ownership change in the 1990's and the team's decision to hire the legendary Billy Beane as General Manager, Beane instituted a system now known as ''Moneyball'' to find undervalued talent in order to field competitive teams. Beane's approach was revolutionary, and led to the A's outperforming expectations against better funded opponents.

During this period, the team won multiple American League West division titles, and set the then-American League record for the most consecutive victories in 2002 when the A's completed ''the Streak'' by winning 20 games in a row. This era was led by the ''Big Three'' pitchers: Tim Hudson, Mark Mulder, and Barry Zito, and hitters Miguel Tejada and Eric Chavez.

The Oakland Athletics have an impressive history of outstanding players, including Hall of Fame inductees, such as: Rickey Henderson, the greatest leadoff hitter in baseball history; Jim ''Catfish'' Hunter, an eight time all-star and five time World Series champion; Rollie Fingers, a seventime all-star and one of the first modern ''closers'', Dennis Eckersley, one of the most dominant relievers in history, and Reggie Jackson a six-time all-star selectee, World Series Most Valuable Player (MVP), and three-time World Series champion.

In addition to the team's on-field success, the Athletics have made an impact on the community they represent. Throughout the years, the Oakland A's Community fund has made it their mission to serve the East Bay community by promoting educational programs, health awareness, and crime and drug prevention. The team has also provided sorely needed athletic fields to Oakland's kids, and held the annual Community Fund Golf Classic for the past 35 years, the annual Root Beer Float Day, and the annual Breast Awareness Day to raise funds for the American Cancer Society and the Cancer Prevention Institute of California.

I commend the A's for being a valuable part of our Oakland community these past fifty years. I extend my congratulations on this important milestone to all managers, players, staff, and fans who have contributed to the team's rich legacy, and I wish the Oakland Athletics continued success on and off the field in the years to come.

## REMEMBERING DEBRA KING

### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor the life and work of Debra King, the chief executive of Community Alternatives for Supportive Abodes—known simply as ''CASA''—a nonprofit that has developed housing for thousands in the Triangle counties in North Carolina. Debra died on April 14. My staff joins me in this Tribute, for we have long admired and supported her work to ensure decent housing for some of the most vulnerable people in our community.

Born and raised on a small farm in Beulaville, North Carolina in 1959, Debra was the first in her family to earn a college degree, majoring in journalism at The University of North Carolina at Chapel Hill. Following graduation, she settled in Raleigh, where she began work as a medical transcriptionist. She soon transitioned into what would become a lifelong passion for non-profit work, beginning as a grant writer for Orange-Person-Chatham Mental Health. One of the first grants she landed was for a housing project to support individuals with mental illnesses, a project that set her on course as a champion for affordable housing.

Soon after, the Wake County Area Mental Health Program launched CASA, seeking to secure housing for people with disabilities and mental health challenges. In 1995, CASA asked Debra to serve as its Director and CEO, overseeing 15 apartments with one other staff member.

CASA's housing model was unique and far-sighted for its time. Rather than housing people with illnesses in group homes or transitional housing, the organization provided permanent, safe, and affordable units with access to public transportation and supportive services as needed. Through 22 years of remarkable social entrepreneurship, Debra helped the non-profit grow to a staff of 27, managing nearly 500 units in Wake, Durham, and Orange counties.

Debra's years at CASA coincided with most of my years working on affordable housing on the House Appropriations Committee. She was masterful at pursuing available funding -picking up on the national mandate, for example, to end veterans' homelessness-and putting together the partnerships to put units on the ground. In the process she taught me and the other elected officials and staff with whom she worked how to make public programs most effective. It was a joy to cut ribbons on completed projects with her, but the spirit of those occasions was always, ''We've got to do more.''

When she was named ''Tar Heel of the Week'' by the Raleigh News & Observer in 2015, Debra declared: ''The greatest gift we can give people is the chance to be who they are . . . Housing is so critical to who we are. If you lack that, how can you be okay?'' She was a stalwart believer and advocate for the ''Housing First'' philosophy, insisting that individuals in crisis will see better outcomes if their basic needs, particularly decent housing, are met from the onset.

Debra's compassion and dedication to her cause, combined with hard work and business acumen, have bettered the lives of many in the greater Raleigh area and have left behind a strong organization—including many who have learned and drawn inspiration from her—that will continue to serve. We join with Debra's family, her many friends and admirers, and members of the communities she served, in mourning her passing and honoring her life of compassionate leadership and public service.

## HONORING THE LIFE OF PAUL HOWARD RICH

### HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. SÁNCHEZ. Mr. Speaker, it is with great sadness that I rise today to honor the life of Paul Howard Rich, an outstanding leader and beloved member of the community. I am honored to represent in Congress. Mr. Rich, born on April 14, 1941 in Worcester, Massachusetts later moved to Southern California where he worked his way up in the labor movement as an active member of the International Brotherhood of Electrical Workers Local 441. If it were not for Paul, I would not be where I am today. He was a true mentor, not only to me, but to countless young people who joined the labor movement in Southern California. During his 55 years as an IBEW member, Paul was an inspirational leader who left a lasting impact on multiple generations of electrical workers to come up through the ranks. Everything Mr. Rich championed served the greater good.

Beyond his dedication to social justice at work, Paul was an active member of his church community and the consummate family man. His faith was an inspiration. I know that Paul will forever remain close to the hearts of so many, including Mary, his wife of 57 years, his 5 children, 16 grandchildren, and 5 great grandchildren. Countless other family members, friends, and colleagues will carry on Paul's legacy fservice to the community.

Although no words can take away the pain from Paul Rich's loss, may his loved ones find comfort in knowing that his legacy will never be forgotten.

## NO ASSISTANCE FOR ASSAD ACT

SPEECH OF

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2018*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 4681 the No Assistance for Assad Act.

This legislation limits U.S. assistance for regions of Syria controlled by Bashar al-Assad and Russian forces. H.R. 4681 states that we will not provide early recovery, reconstruction, stabilization or aid in parts of Syria controlled by Bashar Assad or associated forces.

The conflict in Syria is intensely complicated and the Syrian people are suffering. However, we cannot keep providing support for a regime that is poisoning its own people and ravaging the region with irreparable wounds. The U.S. has provided over $7 billion in aid and plays an essential role in clearing unexploded ordnance in Syria—a service that all sides on the conflict depend upon. H.R. 4681 will put critical pressure on Assad's forces and his allies by limiting this service to regions controlled by U.S. allies and forces fighting for freedom from Assad's tyranny. Concrete and powerful steps must be taken to move towards a resolution and H.R. 4681 is a good step in restoring order in the region.

Providing aid worldwide is a critical element ofthe United States position as an international voice for Democracy and peace. However, we cannot assist a regime that attacks its own people with chemical weapons, and we cannot support Assad by cleaning up his mess. H.R. 4681 will force Assad to face the consequences of his actions and I support this legislation.

## PERSONAL EXPLANATION

### HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mrs. COMSTOCK. Mr. Speaker, I was absent to attend a memorial service. Had I been present, I would have voted YEA on Roll Call No. 148 and YEA on Roll Call No. 149.

## HONORING MARGARET K. LEWIS ON HER 100TH BIRTHDAY

### HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. DUNN. Mr. Speaker, I rise today to honor Margaret K. Lewis of Panama City, Florida who turned 100 years old on April 20th.

Ms. Lewis has led a life of service to North Florida and represents the best of America. She pioneered special education in Bay County, Florida and cared for a group of students who had seemingly been left behind.

Fifty years ago, students with special needs had nowhere to turn when it came to schooling. Ms. Lewis took on the role as teacher and advocate for these students. She started teaching classes in shared spaces, and then transformed a local school into an inclusive environment for students with all levels of ability. In 1980, that local school was named after her.

Ms. Lewis has been a pillar of the community and remains an active member of the school's advisory board.

Mr. Speaker, please join me in wishing Ms. Margaret K. Lewis a Happy 100th Birthday and thanking her for her service to students and families throughout North Florida.

## PERSONAL EXPLANATION

### HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. JENKINS of West Virginia. Mr. Speaker, had I been present, I would have voted: Yea on Roll Call No. 148, and Yea on Roll Call No. 149.

## COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES MARINE CORPS AND OUR COMMUNITY SALUTES OF FREDERICKSBURG, VIRGINIA FOR HOSTING THE SEVENTH ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the 90 Frederick, Virginia area high school seniors who plan to enlist in the United States Marine Corps after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Marine Corps.

James Adkins; Duane Albertsen; Nicholas Aleman; Godfrey Ampong; Daniel Amurrio; Nathaniel Anthony; Miguel Apolinario; Ryan Barnes; Paul Belmonte; Benjamin Broyles; Jakob Burggraf; Edward Carrasco; Jacob Chance; Michael Chandler; Zachary Claypoole; Howard Cokkhoelscher; Rashaiya Coleman; Mark Colongonzalez; Gavin Cornell; Jonathan Crowder; Joshua Cruz; Laura Cruz; David Dejesus; Connor Delery; Nathaniel Diogo; Kelly Doyle; James Edwards; Diego Esparza; Brandon Friend; Sean Gaddy; Andrew Gagnon; James George; Joshua Gilber; Issiaah Green; Alexander Grissom; Rafael Guia; Dennis Guillen; Carrington Haggerty; Kohl Hammer; James Hartzell; Brandon Herzog; Rodney Hill; William Hofferek; Joshua Jackson; Dalton Jewell; Sebastian John; Andrew Johnson; Trevor Johnson; Tyler Johnson; Shaqwaun Johnson; Jonell Kaiwood; Peter Kelley; Dustin Keys; Benjamin King; Maverick Maroney; Giavante Mathieu; Cameron Mazhari; Keivon McIntosh; William McLeod; Carson Merkel; Renee Nicholson; Jackson Nordberg; Roman Orellana; Evelyn Ovandoflores; Dominic Pantovich; Daniel Pfender; Ryan Pickham; Joseph Poe; Jaime Quezadarios; Jonathan Ramirezcruz; Cain Reese; Dionte Reeves; Abbigail Reidysolorio; Allanys Rodriguezmediavilla; Justin Rouse; Thomas Rutigliano; Raymundo Salinas; Austin Sheets; Andrew Sigl; Christian Smith; Eric Standage; Hunter Stoner; Devin Sweeney; Joseph Thompson; Katrin Thompson; Adam Vanderhoof; Devon Vernon; Joshua Weiler; Benny Weng; Caden White.

These students will be honored by the Greater Fredericksburg Chapter of Our Community Salutes at their 7th Annual Military Enlistee Recognition Ceremony on Saturday, May 5, 2018 at the University of Mary Washington in Fredericksburg, VA.

Mr. Speaker, I ask colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

## HONORING THE 150TH ANNIVERSARY OF THE UNIVERSITY OF CALIFORNIA, BERKELEY

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. LEE. Mr. Speaker, I rise today to honor the 150th Anniversary of the University of California, Berkeley. Considered one of the top public universities in the world, Cal provides a quality higher education to more than 40,000 students each year. In addition to providing a world-renowned education for students, UC Berkeley supports cutting-edge research programs facilitated by distinguished academic faculty.

The University of California, Berkeley was the first campus of the UC system and continues to set the standard for public universities nationwide. Established in 1868, the University of California, Berkeley formed as a merger between the private College of California and the state-run Agricultural, Mining, and Mechanical Arts College. In 1873, UC Berkeley chose blue and gold as their school colors—blue for California's sky and ocean and gold to honor the ''Golden State.'' In 1895, Cal chose the golden bear as their mascot after a 12-student track team represented the school with banners depicting California's state emblem.

To date, UC Berkeley alumni, researchers and faculty have earned 94 Nobel Prizes, 45 MacArthur Fellowships, and 14 Pulitzer Prizes. UC Berkeley's notable alumni include Nobel Laureate and former Secretary of Energy Steven Chu, Governor Jerry Brown, co-founder of Apple Steve Wozniak and yours truly. I am particularly proud that the university has sent more alumni to the Peace Corps than any other university in the nation.

In 1964, during the Free Speech Movement, UC Berkeley developed a strong reputation for student activism. Student leaders opposed the Vietnam War, fought for civil rights, and defended their right to participate in political activity on campus. Facing great odds, the students' actions promoted change and established a legacy of political activism that continues to this day.

I commend UC Berkeley for its integral role in developing generations of academic, business, cultural, and political leaders. Cal has been at the forefront of some of the most important scientific discoveries and defining social movements of the modern era.

As a proud alumna of UC Berkeley, I am honored to represent my alma mater in Congress, and work on the many issues that are critical to the students and faculty.

On behalf of the residents of California's 13th Congressional District, I extend my congratulations on this important milestone to the Regents of the University of California, the Chancellor and staff, the distinguished faculty past and present, and most importantly the students who embrace Cal's rich history, and continue to push the campus forward with their passion and talent. I look forward to a bright future for UC Berkeley and continued success in the years to come.

Go Bears.

## RECOGNIZING MOLLY McLAUGHLIN SALMI

### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. FOXX. Mr. Speaker, I rise today to recognize—and say farewell—to a member of the House Committee on Education and the Workforce staff who is retiring after more than 29 years of public service to the People's House.

Molly McLaughlin Salmi began her congressional career on the Committee as a Staff Assistant in the 100th Congress. With hard work and unparalleled policy expertise, she rose through the ranks, serving as the Deputy Director of Workforce Policy for the last 16 years.

Eight Committee Chairs—Republicans and Democrats—have had the benefit of Molly's guidance, direction, and honest feedback. Her tireless dedication to sound policy and extensive knowledge has resulted in a better workplace for every working American.

Molly has relentlessly worked to modernize wage and hour laws—clarifying requirements that would otherwise have a detrimental effect on working Americans, preserving volunteer opportunities, enhancing employment opportunities for America's youth, and, in particular, increasing workplace flexibility.

Molly has navigated us through countless hearings, markups, floor debates, field hearings, member briefings, roundtable discussions, and stakeholder meetings, and through it all, she has been a trusted adviser, dedicated public servant, distinguished colleague, and an invaluable member of our Committeee family.

While Molly's policy achievements over the years are immeasurable, she is equally regarded for her mentorship and grace. Countless young staffers have been blessed to receive Molly's advice and guidance, much to their great appreciation and benefit.

Molly Salmi, on behalf of my colleagues, we are deeply grateful for your many years of service to the American people and the U.S. House of Representatives, and we wish you all the best in the years ahead.

## AMERICAN SPACE COMMERCE FREE ENTERPRISE ACT

SPEECH OF

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 24, 2018*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 2809, American Space Commerce Free Enterprise Act. This legislation grants the Office of Space Commerce (OSC) in the Department of Commerce the power to allow U.S. nationals and NGOs to operate objects manufactured or assembled in outer space, with or without human occupants, and all items used on these objects. To obtain an operation certification in outer space, all activities must include a clean-up plan for any debris that may result from their activities. This legislation will also establish an advisory committee within the OSC that will evaluate space activities and provide guidance on the U.S.

private industry in outer space. Additionally, this bill abolishes the Commercial Remote Sensing Regulatory Affairs Office of the National Oceanic and Atmospheric Administration and establishes the Advisory Committee on Commercial Remote Sensing to advise U.S. commercial space-based remote sensing industries.

I believe that protecting our environment and natural habitats is critical, and outer space is no exception. As we venture further into the cosmos, making sure that the U.S. creates legislation to limit our space debris should be a priority for Congress. We are already facing the consequences of pollution on our planet and we must do better in this new frontier than we have done on earth. This legislation will provide the proper support and oversight that the space industrialization will need to ensure we are exploring the universe responsibly. We must build a solid framework for future space activities in order to create a proper path for exploration.

## COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES AIR FORCE AND OUR COMMUNITY SALUTES OF FREDERICKSBURG, VIRGINIA FOR HOSTING THE SEVENTH ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the 19 Frederick, Virginia area high school seniors who plan to enlist in the United States Air Force after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Air Force.

Jacob Aguilar; Jared Bouches; Victoria Brown; Reynaldo Campos; Kelly Freeman; Aaron Frimpong; Elyssa Galindo; Steven Gilbert; Samantha Guerrero; Sydni Jenkins; Trent Nicholas; Caitlin Odonnell; Edwin Ordonez; Bryan Perez Palacios; Dallas Pratt; Asiah Richardson; Skyler Steward; James Taylor; Jadon Unger.

These students will be honored by the Greater Fredericksburg Chapter of Our Community Salutes at their 7th Annual Military Enlistee Recognition Ceremony on Saturday, May 5, 2018 at the University of Mary Washington in Fredericksburg, VA.

Mr. Speaker, I ask colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

## PRATT AND WHITNEY COLUMBUS NAMED GEORGIA LARGE MANUFACTURER OF THE YEAR

### HON. A. DREW FERGUSON IV

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. FERGUSON. Mr. Speaker, I rise today to congratulate Pratt & Whitney in Columbus, Georgia for being named the Large Manufacturer of the Year by Georgia Governor Nathan Deal, the Georgia Department of Economic Development, and the Technical College System of Georgia. With a longstanding presence in Muscogee County, Pratt & Whitney employs nearly 2,000 workers engaged in overhauling aircraft engines and forging jet engine parts and is currently investing more than $450 million to grow its facility and create 500 new jobs in Columbus.

Additionally, the company has partnered with Columbus Technical College and Georgia Quick Start to provide world-class advanced training to meet the growing needs of the Geared Turbofan and F–135 production lines. As a corporate citizen, Pratt & Whitney has actively engaged in supporting the community by donating over $500,000 annually to support STEM labs for local schools and build scholarship and internship programs. I commend Pratt & Whitney for this distinguished honor and ask my colleagues to join me in recognizing their success.

## GENOCIDE PREVENTION AND AWARENESS MONTH

### HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Ms. SÁNCHEZ. Mr. Speaker, I rise today during Genocide Prevention and Awareness Month to honor and remember the countless lives lost in unforgiveable genocides and tragedies across the world.

Just yesterday we commemorated the 103rd anniversary of the Armenian Genocide, and earlier this month we recognized Holocaust Remembrance Day. While these are somber occasions marking some of the darkest times in our world's history, we must commemorate them because we cannot allow the world to forget what happened.

Millions have died and suffered at the hand of cruelty and injustice. I am deeply saddened that today there are still those who refuse to acknowledge the Armenian Genocide and the atrocities that occurred in 1915. Their denial is disrespectful to the 1.5 million Armenian—men, women and children—who died and the millions more who risked their lives to escape the violence.

We can't undo what happened. But we must learn from history and make sure this never happens again. This month we honor those who had their lives stolen at the hands of evil and hate. We can do better, and we must do better.

## IN RECOGNITION OF EASTHAMPTON HIGH SCHOOL'S 'WE THE PEOPLE' TEAM

### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 25, 2018*

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to recognize the students and advisors of Easthampton High School's 'We The People' team for their hard work, dedication, and outstanding achievement. These individuals prevailed over a number of highly skilled competitors to earn first-place honors in the 2018 Massachusetts 'We The People' academic contest at the Edward M. Kennedy Institute for the U.S. Senate in Boston. They have accordingly earned the distinction of representing the Commonwealth in the national 'We The People' competition this week in Washington, DC.

The annual 'We The People' competition is an extraordinary opportunity that brings young minds together to discuss and learn about issues of vital importance to today's world and our nation. Not only did the students of Easthampton High School's team display exemplary commitment, ability, and character in preparing for and winning the statewide competition in January, but since then they have worked even harder as they eagerly anticipate competing in the national competition. They have been preparing to testify at mock congressional hearings and demonstrate their knowledge of the U.S. Constitution, issue statements on a variety of topics related to our country's political and historical heritage, and field complex questions from a number of expert judges. I am confident that they will find their experience valuable for years to come—whether that be as a result of the fundamental knowledge that they have learned or the vital skills that they have built.

The students have been led by their teacher Kelley Brown who has provided crucial guidance and instrumental mentorship. The outstanding work performed by her class is a testament to the value of quality teachers in the Massachusetts public school system. The victorious students include Charlotte Banigan-White, Tierney Boyle, Ryan-James Bragg, David Brakey, Vincent Catalano, Aidan Chappuis, Carly Detmers, Victoria Drejsa, Chantel Duda, Shane Gravel, Kristin Hartley, Quinn LaFountain, Ambera Mutevelic, Shane O'Donnell, Devon Owens-Heywood, Lucas Patton, David Hunter Pelkey, Carlie Raucher, Nicolas Soucy, Fernando Tenesaca, and Dillan Wilson. Additional advisors of the team include Timothy Wood, Stephen Linsky, Nancy Sykes, and Anuraj Shah.

Mr. Speaker, in closing, I would like to once again acknowledge Easthampton High School's 'We The People' academic team for their superb dedication and accomplishments. Strong civic education is the foundation of our democracy and these inspiring students have exemplified the finest qualities of informed citizenship. I am proud of this group and I wish them all the best in their upcoming national competition as well as all their other future endeavors.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 26, 2018 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### APRIL 27

9:15 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the Bitkov case and the United Nations International Commission Against Impunity in Guatemala.

RHOB–2172

### MAY 8

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the current status of Puerto Rico's electric grid and proposals for the future operation of the grid.

SD–366

### MAY 9

10 a.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine the law enforcement programs at the Bureau of Land Management and the Forest Service, coordination with other Federal, state, and local law enforcement, and the effects on rural communities.

SD–366

2:30 p.m.

Committee on Indian Affairs

To hold hearings to examine the nomination of Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior.

SD–628

## CANCELLATIONS

### APRIL 27

10 a.m.

Committee on the Judiciary

To hold hearings to examine pending nominations.

SD–226

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S2399–S2445***

**Measures Introduced:** Sixteen bills and three resolutions were introduced, as follows: S. 2744–2759, and S. Res. 483–485. **Pages S2439–40**

**Measures Reported:**

S. 1335, to establish the Ste. Genevieve National Historic Site in the State of Missouri. (S. Rept. No. 115–233)

S. 1446, to reauthorize the Historically Black Colleges and Universities Historic Preservation program. (S. Rept. No. 115–234)

H.R. 648, to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir. (S. Rept. No. 115–235)

H.R. 1135, to reauthorize the Historically Black Colleges and Universities Historic Preservation program. (S. Rept. No. 115–236)

H.R. 2888, to establish the Ste. Genevieve National Historic Site in the State of Missouri. (S. Rept. No. 115–237)

S. 382, to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters, with an amendment in the nature of a substitute.

S. 2597, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs. **Page S2439**

**Measures Passed:**

***Tibetan Rights Day:*** Senate agreed to S. Res. 429, commemorating the 59th anniversary of Tibet's 1959 uprising as "Tibetan Rights Day", and expressing support for the human rights and religious freedom of the Tibetan people and the Tibetan Buddhist faith community. **Page S2442**

***Providing for the Display of the POW/MIA Flag:*** Senate passed S. 2758, to amend title 36, United States Code, to provide for the display of the National League of Families POW/MIA flag at the World War I Memorials. **Pages S2442–43**

***National Day of Awareness for Missing and Murdered Native Women and Girls:*** Committee on the Judiciary was discharged from further consideration of S. Res. 401, designating May 5, 2018 as the "National Day of Awareness for Missing and Murdered Native Women and Girls", and the resolution was then agreed to. **Page S2443**

***National Senior Corps Week:*** Senate agreed to S. Res. 483, recognizing the contributions of senior volunteers and designating the week of April 29 through May 5, 2018, as "National Senior Corps Week". **Page S2443**

***Parkinson's Awareness Month:*** Senate agreed to S. Res. 484, supporting the designation of April 2018 as "Parkinson's Awareness Month". **Page S2443**

***Honoring the Life of Barbara Bush:*** Senate agreed to S. Res. 485, honoring the life of First Lady Barbara Bush. **Page S2443**

**Pompeo Nomination—Agreement:** Senate continued consideration of the nomination of Mike Pompeo, of Kansas, to be Secretary of State. **Pages S2400–29**

A unanimous-consent-time agreement was reached providing that notwithstanding the provisions of Rule XXII, at 12 noon, on Thursday, April 26, 2018, there be four minutes of debate equally divided, and following the use or yielding back of that time, Senate vote on the motion to invoke cloture on the Pompeo nomination, and that if cloture is invoked on the Pompeo nomination, all time be considered expired and Senate vote on confirmation of the Pompeo nomination, without intervening action or debate; and that following disposition of the Pompeo nomination, Senate resume consideration of the nomination of Richard Grenell, of California, to be Ambassador to the Federal Republic of Germany, with the time until 1:45 p.m., equally divided in the usual form, and that at 1:45 p.m., Senate vote on the motion to invoke cloture on the Grenell nomination, and that if cloture is invoked on the Grenell nomination, all time be considered expired and Senate vote on confirmation of the Grenell nomination, without intervening action or debate. **Pages S2425–26**

A unanimous-consent agreement was reached providing for further consideration of the Pompeo nomination at approximately 9:30 a.m., on Thursday, April 26, 2018, with the time until 12 noon, equally divided between the two Leaders or their designees. **Page S2443**

**Messages from the House:** **Page S2435**

**Measures Referred:** **Page S2435**

**Petitions and Memorials:** **Pages S2435–39**

**Executive Reports of Committees:** **Page S2439**

**Additional Cosponsors:** **Pages S2440–41**

**Statements on Introduced Bills/Resolutions:** **Pages S2441–42**

**Additional Statements:** **Pages S2433–35**

**Authorities for Committees to Meet:** **Page S2442**

**Adjournment:** Senate convened at 12 noon and adjourned at 7:31 p.m., until 9:30 a.m. on Thursday, April 26, 2018. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2443.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## APPROPRIATIONS: NRC

*Committee on Appropriations:* Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Nuclear Regulatory Commission, after receiving testimony from Kristine Svinicki, Chairman, and Jeff Baran, and Stephen G. Burns, both a Commissioner, all of the Nuclear Regulatory Commission.

## APPROPRIATIONS: DOJ

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Justice, after receiving testimony from Jeff Sessions, Attorney General, Department of Justice.

## APPROPRIATIONS: GAO AND CBO

*Committee on Appropriations:* Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Government Accountability Office and Congressional Budget Office, after receiving testimony from Gene Dodaro, Comptroller General, Government Accountability Office; and Keith Hall, Director, Congressional Budget Office.

## BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following business items:

S. 2717, to reauthorize provisions relating to the Maritime Administration, with an amendment in the nature of a substitute;

S. 2369, to authorize aboriginal subsistence whaling pursuant to the regulations of the International Whaling Commission;

S. 2511, to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, with an amendment in the nature of a substitute;

S. 2343, 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, with an amendment in the nature of a substitute; and

The nominations of Vice Admiral Karl L. Schultz, to be Admiral and to be Commandant, and Vice Admiral Charles W. Ray, to be Vice Commandant, both of the Coast Guard, Department of Homeland Security, Patrick Fuchs, of Wisconsin, and Michelle A. Schultz, of Pennsylvania, both to be a Member of the Surface Transportation Board, Department of Transportation, Rebecca Kelly Slaughter, of Maryland, to be a Federal Trade Commissioner, Rubydee Calvert, of Wyoming, and Laura Gore Ross, of New York, both to be a Member of the Board of Directors of the Corporation for Public Broadcasting, and Alan E. Cobb, of Kansas, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority.

## MARINE MAMMAL PROTECTION ACT

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine enhancing the Marine Mammal Protection Act, after receiving testimony from Chris Oliver, Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Michael Miller, Indigenous Peoples Council on Marine Mammals, Anchorage, Alaska; Guy R. Norman, Northwest Power and Conservation Council, Portland, Oregon; Rae Stone, Dolphin Quest, Middleburg, Virginia, on behalf of the Alliance of Marine Mammal Parks and Aquariums; and Jane P. Davenport, Defenders of Wildlife, Washington, D.C.

### NOMINATION

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nomination of Christopher Krebs, of Virginia, to be Under Secretary for National Protection and Programs, Department of Homeland Security, after the nominee testified and answered questions in his own behalf.

### INDIAN AFFAIRS LEGISLATION

*Committee on Indian Affairs:* Committee concluded a hearing to examine H.R. 597, to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and H.R. 1491, to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, after receiving testimony from Darryl LaCounte, Acting Deputy Bureau Director, Trust Services, Department of the Interior; Vice-mayor Mike Healy, Petaluma, California; Kenneth Kahn, Santa Ynez Band of Chumash Indians, Santa Ynez, California; Margie Mejia, Lytton Rancheria, Santa Rosa, California; and Bill Krauch, Santa Ynez Valley Coalition, Los Olivos, California.

### NOMINATIONS

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Andrew S. Oldham, of Texas, to be United States Circuit Judge for the Fifth Circuit, Alan D. Albright, to be United States District Judge for the Western District of Texas, Thomas S. Kleeh, to be United States District Judge for the Northern District of West Virginia, who was introduced by Senators Manchin and Capito, Peter J. Phipps, to be United States District Judge for the Western District of Pennsylvania, who was introduced by Senators Casey and Toomey, and Michael J. Truncale, to be United States District Judge for the Eastern District of Texas, after the nominees testified and answered questions in their own behalf.

### BUSINESS MEETING

*Committee on Rules and Administration:* Committee ordered favorably reported S. Res. 355, improving procedures for the consideration of nominations in the Senate, with amendments.

### CYBERSECURITY

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine preparing small businesses for cybersecurity success, including S. 2735, to amend the Small Business Act to provide for the establishment of an enhanced cybersecurity assistance and protections for small businesses, S. 2020, to establish a voluntary program to identify and promote Internet-connected products that meet industry-leading cybersecurity and data security standards, guidelines, best practices, methodologies, procedures, and processes, S. 1428, to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, and S. 770, to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, after receiving testimony from Daniel Castro, Information Technology and Innovation Foundation, and Russell Schrader, National Cyber Security Alliance, both of Washington, D.C.; Ben Toews, Bullet Tools, Hayden, Idaho; and Gina Abate, Edwards Performance Solutions, Elkridge, Maryland.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 14 public bills, H.R. 5609–5622; 1 private bill, H.R. 5623; and 6 resolutions, H. Con. Res. 118 and H. Res. 844–848; were introduced. **Pages H3574–75**

**Additional Cosponsors:** **Pages H3575–76**

**Reports Filed:** Reports were filed today as follows:

H.R. 5447, to modernize copyright law, and for other purposes (H. Rept. 115–651);

H.R. 4270, to amend the Federal Reserve Act to ensure transparency in the conduct of monetary policy, and for other purposes (H. Rept. 115–652);

H.R. 3170, to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes (H. Rept. 115–653); and

H.R. 4668, to amend the Small Business Act to provide for the establishment of an enhanced cybersecurity assistance and protections for small businesses, and for other purposes, with an amendment (H. Rept. 115–654). **Page H3574**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Rabbi Shlomo Segal, Kehilat Moshe, Brooklyn, NY. **Page H3509**

**Recess:** The House recessed at 9:07 a.m. for the purpose of receiving His Excellency Emmanuel Macron, President of the French Republic. The House reconvened at 12:30 p.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Pages H3509, H3513**

**Committee Election:** The House agreed to H. Res. 844, electing a Member to a certain standing committee of the House of Representatives. **Page H3513**

**Smithsonian National Zoological Park Central Parking Facility Authorization Act:** The House agreed to discharge from committee and pass H.R. 4009, to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a central parking facility on National Zoological Park property in the District of Columbia. **Pages H3520–21**

**Providing for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time:** The House passed H.R. 3144, to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, by a yea-and-nay vote of 225 yeas to 189 nays, Roll No. 153. **Page H3560**

Rejected the Jayapal motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 190 yeas to 226 nays, Roll No. 152. **Pages H3559–60**

Pursuant to the Rule, the amendment printed in part B of H. Rept. 115–650 shall be considered as adopted. **Page H3542**

H. Res. 839, the rule providing for consideration of the bills (H.R. 4) and (H.R. 3144) was agreed to by a recorded vote of 228 ayes to 184 noes, Roll No. 151, after the previous question was ordered by a yea-and-nay vote of 225 yeas to 190 nays, Roll No. 150. **Pages H3519–20**

**Suspension:** The House agreed to suspend the rules and pass the following measure:

***Music Modernization Act:*** H.R. 5447, amended, to modernize copyright law, by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 154. **Pages H3560–61**

**Senate Message:** Message received from the Senate today appears on page H3561.

**Quorum Calls—Votes:** Four yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H3519–20, H3520, H3559–60, H3560, and H3560–61. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 6:45 p.m.

# *Committee Meetings*

## APPROPRIATIONS—GOVERNMENT ACCOUNTABILITY OFFICE

*Committee on Appropriations:* Subcommittee on Legislative Branch held a budget hearing on the Government Accountability Office. Testimony was heard from Gene Dodaro, Comptroller General, Government Accountability Office.

## APPROPRIATIONS—DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Defense held a budget hearing on the Department of Defense. Testimony was heard from the following Department of Defense officials: James N. Mattis, Secretary; General Joseph Dunford, Jr., Chairman, Joint Chiefs of Staff; and David Norquist, Under Secretary of Defense (Comptroller), and Chief Financial Officer. This hearing was closed.

## MEMBER DAY

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a budget hearing entitled "Member Day".

## FY 2019 PIPELINE TO THE WORKFORCE

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a budget hearing entitled "FY 2019 Pipeline to the Workforce". Testimony was heard from public witnesses.

## APPROPRIATIONS—LIBRARY OF CONGRESS

*Committee on Appropriations:* Subcommittee on Legislative Branch held a budget hearing on the Library of Congress. Testimony was heard from the following Library of Congress officials: Carla D. Hayden, Librarian of Congress; Mark Sweeney, Acting Deputy Librarian; Karyn Temple, Acting Register of Copyright; and Mary Mazanec, Director, Congressional Research Service.

## APPROPRIATIONS—OFFICE OF HOUSING AND FEDERAL HOUSING ADMINISTRATION

*Committee on Appropriations:* Subcommittee on Transportation, Housing and Urban Development, and

Related Agencies held a budget hearing on the Office of Housing and the Federal Housing Administration. Testimony was heard from Dana Wade, General Deputy Assistant Secretary for Housing, Department of Housing and Urban Development.

## APPROPRIATIONS—U.S. HOUSE OF REPRESENTATIVES

*Committee on Appropriations:* Subcommittee on Legislative Branch held a budget hearing on the U.S. House of Representatives. Testimony was heard from the following U.S. House of Representatives officials: Phil Kiko, Chief Administrative Officer; Karen L. Haas, Clerk; and Paul D. Irving, Sergeant at Arms.

## MEMBER DAY

*Committee on Appropriations:* Subcommittee on Financial Services and General Government held a budget hearing entitled ''Member Day''. Testimony was heard from Representatives Barr, Luetkemeyer, and Tipton.

## MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Health began a markup on H.R. 4275, the ''Empowering Pharmacists in the Fight Against Opioid Abuse Act''; H.R. 5041, the ''Safe Disposal of Unused Medication Act''; H.R. 5202, the ''Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018''; H.R. 5483, the ''Special Registration for Telemedicine Clarification Act of 2018''; legislation on the Improving Access to Remote Behavioral Health Treatment Act of 2018; H.R. 449, the ''Synthetic Drug Awareness Act of 2017''; H.R. 3545, the ''Overdose Prevention and Patient Safety Act''; H.R. 3692, the ''Addiction Treatment Access Improvement Act of 2017''; H.R. 4284, the ''Indexing Narcotics, Fentanyl, and Opioids Act of 2017''; H.R. 4684, the ''Ensuring Access to Quality Sober Living Act of 2017''; H.R. 5002, the ''ACE Research Act''; H.R. 5009, the ''Jessie's Law''; H.R. 5102, the ''Substance Use Disorder Workforce Loan Repayment Act of 2018''; H.R. 5176, the ''Preventing Overdoses While in Emergency Rooms Act of 2018''; H.R. 5197, the ''Alternatives to Opioids (ALTO) in the Emergency Department Act''; H.R. 5261, the ''TEACH to Combat Addiction Act of 2018''; H.R. 5272, the ''Reinforcing Evidence-Based Standards Under Law in Treating Substance Abuse Act of 2018''; H.R. 5327, the ''Comprehensive Opioid Recovery Centers Act 2018''; H.R. 5329, the ''Poison Center Network Enhancement Act of 2018''; H.R. 5353, the ''Eliminating Opioid-Related Infectious Diseases Act of 2018''; legislation to enhance and improve state-run prescription drug monitoring programs; legislation to improve fentanyl testing and surveillance; legislation to support the peer support specialist workforce; H.R. 3331, to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology; legislation on the CMS Action Plan; legislation on the Welcome to Medicare; legislation on the Adding Resources on Non-Opioid Alternatives to the Medicare Handbook; legislation on the Post-Surgical Injections as an Opioid Alternative; legislation on the Alternative Payment Model for Treating Substance Use Disorder; legislation on the Use of Telehealth to Treat Opioid Use Disorder; legislation on the Incentivizing Non-Opioid Drugs; H.R. 3528, the ''Every Prescription Conveyed Securely Act''; H.R. 4841, the ''Standardizing Electronic Prior Authorization for Safe Prescribing Act of 2018''; legislation on the Mandatory Lock-In; legislation on the Beneficiary Education; legislation on the Evaluating Abuse Deterrent Formulations; legislation on the Prescriber Notification; legislation on the Prescriber Education; legislation on the Medication Therapy Management (MTM) Expansion; legislation on the CMS/Plan Sharing; H.R. 1925, the ''At-Risk Youth Medicaid Protection Act of 2017''; H.R. 3192, the ''CHIP Mental Health Parity Act''; H.R. 4005, the ''Medicaid Reentry Act''; H.R. 4998, the ''Health Insurance for Former Foster Youth Act''; H.R. 5477, the ''Rural Development of Opioid Capacity Services Act''; H.R. 5562, to require the Secretary of Health and Human Services to develop a strategy implementing certain recommendations relating to the Protecting Our Infants Act of 2015, and for other purposes; legislation on the Limited repeal of the IMD Exclusion for adult Medicaid beneficiaries with substance use disorder; legislation on the Medicaid Pharmaceutical Home Act; legislation on the Medicaid DRUG Improvement Act; legislation on the Medicaid PARTNERSHIP Act; legislation on the Incentives to Create Medicaid Health Homes to Treat Substance Use Disorder; legislation on the Medicaid IMD ADDITIONAL INFO Act; legislation on the Medicaid Graduate Medical Education Transparency Act; legislation on the HUMAN CAPITAL in Medicaid Act; legislation on the Require Medicaid Programs to Report on All Core Behavioral Health Measures; legislation to amend title XIX of the Social Security Act to provide for Medicaid coverage protections for pregnant and postpartum women while receiving inpatient treatment for a substance use disorder; H.R. 5228, the ''Stop Counterfeit Drugs by Regulating and Enhancing Enforcement Now Act''; H.R. 5554, to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs; legislation on the FDA and International Mail; legislation on

the 21st Century Tools for Pain and Addiction Treatments; legislation on the FDA Opioid Sparing; legislation on the FDA Packaging and Disposal; legislation on the FDA Long-term Efficacy; and legislation on the FDA Misuse/Abuse.

### HUD'S ROLE IN RENTAL ASSISTANCE: AN OVERSIGHT AND REVIEW OF LEGISLATIVE PROPOSALS ON RENT REFORM

*Committee on Financial Services:* Subcommittee on Housing and Insurance held a hearing entitled ''HUD's Role in Rental Assistance: An Oversight and Review of Legislative Proposals on Rent Reform''. Testimony was heard from William O. Russell III, President and Chief Executive Officer, Sarasota, Florida Housing Authority; Richard C. Gentry, President and Chief Executive Officer, San Diego, California Housing Commission; and public witnesses.

### BORDER SECURITY, COMMERCE AND TRAVEL: COMMISSIONER MCALEENAN'S VISION FOR THE FUTURE OF CBP

*Committee on Homeland Security:* Subcommittee on Border and Maritime Security held a hearing entitled ''Border Security, Commerce and Travel: Commissioner McAleenan's Vision for the Future of CBP''. Testimony was heard from Kevin K. McAleenan, Commissioner, U.S. Customs and Border Protection, Department of Homeland Security.

### MISCELLANEOUS MEASURES

*Committee on House Administration:* Full Committee held a markup on Committee Resolution 115–10; Committee Resolution 115–11; Committee Resolution 115–13; Committee Resolution 115–14; Committee Resolution 115–15; Committee Resolution 115–16; Committee Resolution 115–17; and Committee Resolution 115–18. Committee Resolutions 115–10, 115–11, 115–13, 115–14, 115–15, 115–16, 115–17, and 115–18 were ordered reported, without amendment.

### MISCELLANEOUS MEASURE

*Committee on the Judiciary:* Full Committee held a markup on H.R. 1689, the ''Private Property Rights Protection Act of 2017''. H.R. 1689 was ordered reported, without amendment.

### THE WEAPONIZATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT AND THE IMPLICATIONS OF ENVIRONMENTAL LAWFARE

*Committee on Natural Resources:* Full Committee held a hearing entitled ''The Weaponization of the National Environmental Policy Act and the Implications of Environmental Lawfare''. Testimony was heard from public witnesses.

### AMERICAN INFRASTRUCTURE AND THE SMALL BUSINESS PERSPECTIVE

*Committee on Small Business:* Full Committee held a hearing entitled ''American Infrastructure and the Small Business Perspective''. Testimony was heard from public witnesses.

### REVIEW OF VA'S LIFE INSURANCE PROGRAMS

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled ''Review of VA's Life Insurance Programs''. Testimony was heard from Robert Reynolds, Deputy Under Secretary for Disability Assistance, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

### JOBS AND OPPORTUNITY: EMPLOYER PERSPECTIVES ON THE JOBS GAP

*Committee on Ways and Means:* Subcommittee on Human Resources held a hearing entitled ''Jobs and Opportunity: Employer Perspectives on the Jobs Gap''. Testimony was heard from public witnesses.

### THE OPIOID CRISIS: STOPPING THE FLOW OF SYNTHETIC OPIOIDS IN THE INTERNATIONAL MAIL SYSTEM

*Committee on Ways and Means:* Subcommittee on Trade held a hearing entitled ''The Opioid Crisis: Stopping the Flow of Synthetic Opioids in the International Mail System''. Testimony was heard from Todd Owen, Executive Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection; and Robert Cintron, Vice President, Network Operations, U.S. Postal Service.

## *Joint Meetings*

### THE INNOVATION ECONOMY

*Joint Economic Committee:* Committee concluded a hearing to examine how the innovation economy leads to growth, after receiving testimony from Harold Furchtgott-Roth, Hudson Institute Center for the Economics of the Internet, Michael R. Strain, American Enterprise Institute, Mark P. Mills, Manhattan Institute, and Darrell M. West, Brookings Institution, all of Washington, D.C.

## COMMITTEE MEETINGS FOR THURSDAY, APRIL 26, 2018

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Defense Health Program, 10 a.m., SD–192.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed Department of Defense budget estimates and justification for fiscal year 2019 for military construction and family housing, 10:30 a.m., SD–138.

*Committee on Armed Services:* to hold hearings to examine the Department of Defense budget posture in review of the Defense Authorization Request for fiscal year 2019 and the Future Years Defense Program, 9:30 a.m., SH–216.

*Committee on Homeland Security and Governmental Affairs:* Permanent Subcommittee on Investigations, to hold an oversight hearing to examine Department of Health and Human Services and Department of Homeland Security efforts to protect unaccompanied alien children from human trafficking and abuse, 10 a.m., SD–342.

*Committee on the Judiciary:* business meeting to consider S. 2644, to ensure independent investigations and judicial review of the removal of a special counsel, S. 2559, to amend title 17, United States Code, to implement the Marrakesh Treaty, and the nominations of Mark Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit, Nancy E. Brasel, and Eric C. Tostrud, both to be a United States District Judge for the District of Minnesota, Robert R. Summerhays, to be United States District Judge for the Western District of Louisiana, and Gregory Allyn Forest, to be United States Marshal for the Western District of North Carolina, and Bradley A. Maxwell, to be United States Marshal for the Southern District of Illinois, both of the Department of Justice, 10 a.m., SD–226.

*Select Committee on Intelligence:* to receive a closed briefing regarding certain intelligence matters, 2 p.m., SH–219.

### House

*Committee on Appropriations,* Subcommittee on Military Construction, Veterans Affairs and Related Agencies, markup on the FY 2019 MILCON/VA Appropriations Bill, 9 a.m., HT–2 Capitol.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, budget hearing on the Federal Highway Administration, the Federal Transit Administration, and the U.S. Maritime Administration, 9:30 a.m., 2358–A Rayburn.

Subcommittee on Financial Services and General Government, budget hearing on the Securities and Exchange Commission, 9:30 a.m., 2362–B Rayburn.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, budget hearing entitled ''FY 2019 Public Witness Hearing'', 10 a.m., 2358–C Rayburn.

Subcommittee on State, Foreign Operations, and Related Programs, budget hearing on the U.S. Agency for International Development, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, budget hearing on the Department of Justice, 10:30 a.m., 2359 Rayburn.

Subcommittee on Legislative Branch, markup on the FY 2019 Legislative Branch Appropriations Bill, 1:30 p.m., HT–2 Capitol.

Subcommittee on Interior, Environment, and Related Agencies, budget hearing on the Environmental Protection Agency, 2 p.m., 2007 Rayburn.

Subcommittee on Financial Services and General Government, budget hearing on the Federal Communications Commission, 2 p.m., 2358–A Rayburn.

Subcommittee on Homeland Security, budget hearing entitled ''Member Day'', 3:30 p.m., 2359 Rayburn.

*Committee on Armed Services,* Subcommittee on Readiness, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 9 a.m., 2212 Rayburn.

Subcommittee on Emerging Threats and Capabilities, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 11 a.m., 2212 Rayburn.

Subcommittee on Tactical Air and Land Forces, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 12:30 p.m., 2118 Rayburn.

Subcommittee on Seapower and Projection Forces, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 1:30 p.m., 2212 Rayburn.

Subcommittee on Strategic Forces, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 3 p.m., 2118 Rayburn.

*Committee on Education and the Workforce,* Subcommittee on Health, Employment, Labor, and Pensions, hearing entitled ''Worker-Management Relations: Examining the Need to Modernize Federal Labor Law'', 9:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Environment, hearing entitled ''The Fiscal Year 2019 Environmental Protection Agency Budget'', 10 a.m., 2123 Rayburn.

Subcommittee on Digital Commerce and Consumer Protection, hearing entitled ''Perspectives on Reform of the CFIUS Review Process'', 10:15 a.m., 2322 Rayburn.

*Committee on Financial Services,* Subcommittee on Capital Markets, Securities, and Investment, hearing entitled ''Oversight of the SEC's Division of Corporation Finance'', 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Full Committee, markup on H.R. 5592, the ''Department of State Authorization Act of 2018'', 10 a.m., 2172 Rayburn.

Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''Mass Migration in Europe: Assimilation, Integration, and Security'', 1 p.m., 2200 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee on the Middle East and North Africa, joint hearing entitled ''Grading Counterterrorism Cooperation with the GCC States'', 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* Full Committee, hearing entitled ''Strengthening the Safety and Security of Our Nation: The President's FY2019 Budget Request for the Department of Homeland Security'', 10 a.m., HVC–210.

*Committee on the Judiciary,* Full Committee, hearing entitled ''Filtering Practices of Social Media Platforms'', 10 a.m., 2141 Rayburn.

*Committee on Natural Resources,* Subcommittee on Energy and Mineral Resources, hearing entitled ''Examining the Critical Importance of Offshore Energy Revenue Sharing for Gulf Producing States'', 10 a.m., 1324 Longworth.

Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 211, the ''Chugach Region Lands Study Act''; and H.R. 5317, to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands, 2 p.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Full Committee, hearing entitled ''Waste and Inefficiency in the Federal Government: GAO's 2018 Duplication Report'', 10 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology,* Subcommittee on Environment; and Subcommittee on Space, joint hearing entitled ''Surveying the Space Weather Landscape'', 10 a.m., 2318 Rayburn.

*Committee on Small Business,* Subcommittee on Contracting and Workforce, hearing entitled ''No Man's Land: Middle-Market Challenges for Small Business Graduates'', 10 a.m., 2360 Rayburn.

*Committee on Ways and Means,* Subcommittee on Health, hearing entitled ''Identifying Innovative Practices and Technology in Health Care'', 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* Subcommittee on the Central Intelligence Agency, hearing entitled ''Fiscal Year 2019 Budget Hearing'', 9 a.m., HVC–304. This hearing will be closed.

## Joint Meetings

*Commission on Security and Cooperation in Europe:* to receive a briefing on the protest movement in Armenia, 4 p.m., SVC–200.

*Next Meeting of the* SENATE

9:30 a.m., Thursday, April 26

Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of Mike Pompeo, of Kansas, to be Secretary of State, with a vote on the motion to invoke cloture on the nomination at 12 noon, and if cloture is invoked on the nomination, Senate will immediately vote on confirmation of the nomination.

Following disposition of the Pompeo nomination, Senate will resume consideration of the nomination of Richard Grenell, of California, to be Ambassador to the Federal Republic of Germany, with a vote on the motion to invoke cloture on the nomination at 1:45 p.m., and if cloture is invoked on the nomination, Senate will immediately vote on confirmation of the nomination.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Thursday, April 26

House Chamber

**Program for Thursday:** Consideration of H.R. 4—FAA Reauthorization Act of 2018.

## Extensions of Remarks, as inserted in this issue

HOUSE

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